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GOVERNMENT OF INDIA
LEGISLATIVE DEPARTMENT

Legislation and Orders
relating to the War

(THIRD EDITION)



DELHI
SUPERINTENDENT GOVERNMENT PRINTING, INDIA
1915

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LEGISLATIVE DEPARTMENT

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DELHI
SUPERINTENDENT GOVERNMENT PRINTING, INDIA
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PREFATORY NOTE TO THE THIRD EDITION.

In this the third edition of "Legislation and Orders relating to the War," Parts I to IV are on the same lines as in the first two editions.

In Parts V and VI, however, the Notifications have been brought together and arranged chronologically in the order of the Acts, Ordinances or Orders under which they were issued.

In Part VII most of the miscellaneous Notifications have been omitted, and only a few of the more important ones retained.

The present edition has been brought up to the 20th November, 1915, but the Defence of India (Wolfram) Rules and the Defence of India (Consolidation) Rules, which were issued after that date, have also been included in Part V.

The Prefatory Note to the first edition is reproduced.

H. MONCRIEFF SMITH,

Deputy Secretary to the Government of India.

Delhi, the 13th December, 1915.

PREFATORY NOTE TO THE FIRST EDITION.

THIS publication contains—

- (1) The recent Ordinances made by the Governor General in exercise of the power conferred by section 23 of the Indian Councils Act, 1861, to meet the emergency created by the present war ;
- (2) Proclamations of the Governor General and Notifications of the Government of India relating to the outbreak of war ;
- (3) Certain Royal Proclamations and Orders of His Majesty in Council, which are of importance in this country ;
- (4) Notifications under Acts of the Governor General in Council relating to the present emergency ;
- (5) Notifications and Orders under the recent Ordinances ; and
- (6) Miscellaneous Administrative Notifications on the same subject likely to be often referred to.

2. Proclamations and Notifications no longer in force have been omitted. The object of the publication is to bring together in a collected form, for purposes of ready reference, papers of importance which are at present not available, except by reference to a complete file of the *Gazette of India*. Owing to the obvious importance of early publication, it is probable that this collection is, in some respects, incomplete ; but it is hoped that it may be found of considerable practical use.

3. The Declaration of London and the Prize Court Rules have been separately published by this Department, and are therefore not included in the present collection.

4. The preparation of this publication has been undertaken under the supervision of Mr. J. Nissim, I.C.S., an Attaché of this Department.

A. P. MUDDIMAN,

Deputy Secretary to the Government of India.

Delhi, the 16th December, 1914.

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ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

ACT No. I OF 1915.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

[Received the assent of the Governor General on the 12th January, 1915.]

An Act to continue in force the provisions of certain Ordinances.

24 & 25
Vict., c. 67.

WHEREAS the Ordinances mentioned in the Schedule are temporary in their duration and in virtue of section 23 of the Indian Councils Act, 1861, are limited to expire within the period of six months from their promulgation ; and,

Whereas owing to the state of war existing between His Majesty the King Emperor and certain foreign Powers it is expedient to provide for the continuance as in this Act mentioned of the provisions contained in those Ordinances ; It is hereby enacted as follows :—

1. This Act may be called the Emergency Legislation Short title. Continuance Act, 1915.

2. The provisions of the Ordinances mentioned in the Schedule shall have effect as if they had been enacted by the Governor General in Council and shall be in force during the continuance of the present war and for a period of six months thereafter : Continuance of provisions of Ordinances in Schedule.

Provided that the Governor General in Council may by notification in the Gazette of India direct that any provision in any of the said Ordinances shall cease to be in force at any earlier date which may be specified in such notification.

SCHEDULE.

(SEE SECTION 2.)

Ordinances made by the Governor General of India under section 23 of the Indian Councils Act, 1861.

Year.	Number.	Short title.
1914	I	The Indian Naval and Military News (Emergency) Ordinance, 1914.
"	II	The Impressment of Vessels Ordinance, 1914.
"	III	The Foreigners Ordinance, 1914.
"	IV	The Indian Volunteers Ordinance, 1914.
"	V	The Ingress into India Ordinance, 1914.
"	VI	The Commercial Intercourse with Enemies Ordinance, 1914.
"	VII	The Foreigners (Amendment) Ordinance, 1914.
"	VIII	The Foreigners (Further Amendment) Ordinance, 1914.
"	IX	The Articles of Commerce Ordinance, 1914.

ACT No. IV OF 1915.¹

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

[Received the assent of the Governor General on the 19th March, 1915.]

An Act to provide for special measures to secure the public safety and the defence of British India and for the more speedy trial of certain offences.

WHEREAS owing to the existing state of war it is expedient to provide for special measures to secure the public safety and the defence of British India and for the more speedy trial of certain offences ; It is hereby enacted as follows :—

1. (1) This Act may be called the Defence of India (Criminal Law Amendment) Act, 1915.

(2) It extends to the whole of British India, including British Baluchistan, the Sonthal Parganas and the district of Angul.

(3) This section and section 2 shall come into operation at once. The Governor General in Council may, by notification

Short title,
extent and
duration.

¹ For application of this Act to Berar under the Indian (Foreign Jurisdiction) Order in Council, 1902, see Foreign and Political Department Notification No. 394-I. B., dated 8th April, 1915 (Part VI).

in the Gazette of India,¹ direct that the rest of the Act shall come into operation in any province or part thereof on such date as may be specified in such notification.

(4) This Act shall be in force during the continuance of the present war and for a period of six months thereafter :

Provided that the expiration of this Act shall not affect the validity of anything done in pursuance of it, and any person convicted under this Act may be punished as if it had continued in force, and all prosecutions and other legal proceedings pending under this Act at the time of the expiration thereof may be completed and carried into effect, and the sentences carried into execution as if this Act had not expired.

2. (1) The Governor General in Council may make rules² for the purpose of securing the public safety and the defence of British India and as to the powers and duties of public servants and other persons in furtherance of that purpose. Power to make rules.

In particular and without prejudice to the generality of the foregoing power, rules under this section may be made—

- (a) to prevent persons communicating with the enemy or obtaining information which may be used for that purpose ;
- (b) to secure the safety of His Majesty's forces and ships and to prevent the prosecution of any purpose likely to jeopardise the success of the operations of His Majesty's forces or the forces of His Allies or to assist the enemy ;
- (c) to prevent the spread of false reports or reports likely to cause disaffection or alarm or to prejudice His Majesty's relations with Foreign Powers or to promote feelings of enmity and hatred between different classes of His Majesty's subjects ;
- (d) to empower any civil or military authority to issue such orders and take such measures as may be necessary to secure the safety of railways, ports, dockyards, telegraphs, post offices, works for the supply of gas, electric light or water, sources of

¹ For Notifications under s. 1 (3) directing that sections 3 to 11 shall come into force in certain Districts of :—

Punjab. See Home Department Notification No. 1095, dated 22nd March, 1915 (Part V).

Bengal. See Home Department Notifications Nos. 1379, dated 23rd April, 1915, and 1789, dated 10th June, 1915 (Part V).

U. P. See Home Department Notification No. 3412, dated 7th October, 1915 (Part V).

Bihar and Orissa. See Home Department Notification No. 3208, dated 22nd September, 1915 (Part V).

² For rules under s. 2 see the Defence of India (Wolfram) Rules, 1915, and the Defence of India (Consolidation) Rules, 1915, *infra* (Part V). For rules applying to Berar see Foreign and Political Department Notification No. 1047-1 B., dated 8th June, 1915, *infra* (Part V).

water supply, all means of communication and any areas which may be notified by such civil or military authority as areas which it is necessary to safeguard in the public interest ;

- (e) to enable any naval or military authority to take possession of any property, moveable or immovable, for naval or military purposes, and to issue such orders and do such acts in respect of any property as may be necessary to secure the public safety or the defence of British India or any part thereof ;
- (f) to empower any civil or military authority where, in the opinion of such authority, there are reasonable grounds for suspecting that any person has acted, is acting or is about to act in a manner prejudicial to the public safety, to direct that such person shall not enter, reside or remain in any area specified in writing by such authority or that such person shall reside and remain in any area so specified, or that he shall conduct himself in such manner or abstain from such acts, or take such order with any property in his possession or under his control, as such authority may direct ;
- (g) to prohibit or regulate the possession of explosives, inflammable substances, arms and all other munitions of war ;
- (h) to prohibit anything likely to prejudice the training or discipline of His Majesty's forces and to prevent any attempt to tamper with the loyalty of persons in the service of His Majesty or to dissuade persons from entering the military or police service of His Majesty ;
- (i) to empower any civil or military authority to enter and search any place if such authority has reason to believe that such place is being used for any purpose prejudicial to the public safety or to the defence of British India and to seize anything found there which he has reason to believe is being used for any such purpose ;
- (j) to provide for the arrest of persons contravening or reasonably suspected of contravening any rule made under this section and prescribing the duties of public servants and other persons in regard to such arrests ;
- (k) to prescribe the duties of public servants and other persons as to preventing any contravention of rules made under this section and to prohibit any attempt to screen persons contravening any such rule from punishment ; [and]

(l) otherwise to prevent assistance being given to the enemy or the successful prosecution of the war being endangered ;

¹(m) *to require that there shall be placed, at the disposal of the Governor General in Council, the whole or any part of the output of any factory, workshop, mine or other industrial concern for the manufacture, preparation or extraction of any article or thing which, in his opinion, can be utilised in the prosecution of the present war ;*

(n) *to take possession of, and use, for the purpose of the Governor General in Council, any such factory, workshop, mine or industrial concern or any appurtenances or plant thereof ;*

(o) *to require any work in any such factory, workshop, mine or industrial concern to be done in accordance with the directions of the Governor General ;*

(p) *to regulate or restrict the carrying out of work in any such factory, workshop, mine or industrial concern or to remove the plant therefrom with the object of increasing the output of any other such factory, workshop, mine or industrial concern ;*

(q) *to provide for any other action, which may be necessary to regulate the possession, or to facilitate the collection, manufacture, preparation or extraction of any article or thing ; which can, in the opinion of the Governor General in Council, be utilised in the prosecution of the present war ; and*

(r) *to regulate the sailings of British steamers from any port in British India, and to reserve, for the use of the Governor General in Council, all or any accommodation of whatever kind for the carriage of persons, animals or goods on any such steamers.*

(2) Rules made under this section may provide that any contravention thereof or of any order issued under the authority of any such rule shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both, or if the intention of the person so contravening any such rule or order is to assist the King's enemies or to wage war against the King, may provide that such contravention shall be punishable with death, transportation for life

¹ Under Ordinance III of 1915, (Part II), section 2 (1) of Act IV of 1915, is to be construed as if clauses (m) to (r) were inserted after clause (l). These clauses which are printed in italics though not part of s. 2 (1) are inserted here for convenience of reference.

or imprisonment for a term which may extend to ten years, to any of which punishments fine may be added.

(3) All rules made under this section shall be published in the Gazette of India, and shall thereupon have effect as if enacted in this Act.

Power of
Local
Government
to direct
accused
person to be
tried by
Commis-
sioners.

3. (1) The Local Government may by order in writing direct that any person accused of anything which is an offence in virtue of any rule made under section 2 or accused of any offence punishable with death, transportation or imprisonment for a term which may extend to seven years, or of criminal conspiracy to commit, or of abetting, or of attempting to commit or abet any such offence shall be tried by Commissioners appointed under this Act.

(2) Orders under sub-section (1) may be made in respect of all persons accused of any offence referred to in that sub-section, or in respect of any class of person so accused, or in respect of persons or classes of persons accused of any particular offence therein referred to or accused of any class of such offences.

(3) No order under sub-section (1) shall be made in respect of or be deemed to include any person who has been committed under the Code of Criminal Procedure, 1898, for trial before a High Court, or in whose case an order for trial has been made under section 6 of the Indian Criminal Law Amendment Act, 1908, but, save as aforesaid, an order under that sub-section may be made in respect of or may include any person accused of any offence referred to therein whether such offence was committed before or after the commencement of this Act. Act V of 1898.
XIV of 1908.

Appointment
and qualifi-
cations of
Commis-
sioners.

4. (1) Commissioners for the trial of persons under this Act shall be appointed by the Local Government.

(2) Such Commissioners may be appointed for the whole province or any part thereof or for the trial of any particular accused person or class of accused persons.

(3) All trials under this Act shall be held by three Commissioners, of whom at least two shall be persons who have served as Sessions Judges or Additional Sessions Judges for a period of not less than three years, or are persons qualified under section 2 of the Indian High Courts Act, 1861, for appointment as Judges of a High Court or are advocates of a Chief Court or pleaders of ten years' standing. 24 & 25
Vict., c. 104.

Procedure of
Commis-
sioners.

5. (1) Commissioners appointed under this Act may take cognizance of offences without the accused being committed to them for trial, and, in trying accused persons, shall, subject to any rules made by the Local Government, in this behalf, follow the procedure prescribed by the Code of Criminal Procedure, 1898, for the trial of warrant cases by Magistrates: Act V of 1898.

Provided that such Commissioners shall make a memorandum only of the substance of the evidence of each witness

examined, and shall not be bound to adjourn any trial for any purpose unless such adjournment is in their opinion necessary in the interests of justice.

(2) In the event of any difference of opinion between the Commissioners the opinion of the majority shall prevail.

6. (1) The judgment of Commissioners appointed under the Act shall be final and conclusive, and such Commissioners may pass upon any person convicted by them any sentence authorised by law for the punishment of the offence of which such person is convicted, and no order of confirmation shall be necessary in the case of any sentence passed by them.

Powers of
Commissioners.

(2) If in any trial under this Act it is proved that the accused person has committed any offence whether referred to in section 3 or in any order under that section or not, the Commissioners may convict such accused person of such offence and pass any sentence authorized by law for the punishment thereof.

Act V of
1893.

7. The provisions of the Code of Criminal Procedure, 1898, so far as they are inconsistent with the special procedure prescribed by or under this Act, shall not apply to the proceedings of Commissioners appointed under this Act, but save as otherwise provided, that Code shall apply to such proceedings and the Commissioners shall have all the powers conferred by the Code on a Court of Session exercising original jurisdiction.

Application of
Criminal Pro-
cedure Code
subject to
modifications
to proceedings
under this
Act.

Act V of
1893.

8. (1) Notwithstanding the provisions of the Code of Criminal Procedure, 1898, or of any other law for the time being in force, or of anything having the force of law by whatsoever authority made or done, there shall be no appeal from any order or sentence of Commissioners appointed under this Act, and no Court shall have authority to revise any such order or sentence, or to transfer any case from such Commissioners, or to make any order under section 491 of the Code of Criminal Procedure, 1898, or have any jurisdiction of any kind in respect of any proceedings under this Act.

Exclusion of
interference
of other cri-
minal courts.

Act V of
1893.

(2) Nothing in sub-section (1) shall be deemed to affect the power of the Governor General in Council or the Local Government to make orders under section 401 or 402 of the Code of Criminal Procedure, 1898, in respect of persons sentenced by Commissioners under this Act.

Act V of
1893.

I of 1872.

9. Notwithstanding anything contained in the Indian Evidence Act, 1872, where the statement of any person has been recorded by a Magistrate, such statement may be admitted in evidence in any trial before Commissioners appointed under this Act if such person is dead or cannot be found or is incapable of giving evidence, and the Commissioners are of opinion that such death, disappearance or incapacity has been caused in the interest of the accused.

Special rule of
evidence.

Rule-making
powers of
Local Govern-
ment.

10: The Local Government may, by notification in the local official Gazette, make rules providing for—

- (i) the times and places at which Commissioners appointed under this Act may sit;
- (ii) the procedure of such Commissioners including the appointment and powers of their President, and the procedure to be adopted in the event of any Commissioner being prevented from attending throughout the trial of any accused person;
- (iii) the manner in which prosecutions before such Commissioners shall be conducted, and the appointment and powers of persons conducting such prosecution;
- (iv) the execution of sentences passed by such Commissioners;
- (v) the temporary custody or release on bail of persons referred to or included in any order made under sub-section (1) of section 3, and for the transmission of records to the Commissioners; and
- (vi) any matter which appears to the Local Government to be necessary for carrying into effect the provisions of the Act relating or ancillary to trials before Commissioners.

11. No order under this Act shall be called in question in any court, and no suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

ACT No. V OF 1915.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

[Received the assent of the Governor General on the 22nd March, 1915.]

An Act further to amend temporarily the Indian Paper Currency Act, 1910.

WHEREAS it is temporarily expedient further to amend the Indian Paper Currency Act, 1910; It is hereby enacted as follows:— II of 1910.

Short title.

1. This Act may be called the Indian Paper Currency (Temporary Amendment) Act, 1915.

Amendment
of section 22
of the Indian
Paper
Currency Act.

2. During the continuance of the present war and for a period of six months thereafter, section 22 of the Indian Paper Currency Act, 1910, shall be construed as if for the words "one hundred and forty millions" in that section the words "two hundred millions" were substituted. II of 1910.

Repeal of
Ordinance 1
of 1915.

3. The Indian Paper Currency Amendment Ordinance, 1915, is repealed.

ACT No. VI OF 1915.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

[Received the assent of the Governor General on the 22nd March, 1915.]

An Act to extend the powers of the Governor General in Council during the continuance of the present war to make rules under the Indian Patents and Designs Act, 1911.

1. (1) This Act may be called the Indian Patents and Designs (Temporary Rules) Act, 1915. Short title, extent, etc.

(2) It extends to the whole of British India, including British Baluchistan and the Sonthal Parganas.

(3) This Act and the rules made thereunder shall be in force during the continuance of the present war and for a period of six months thereafter.

2. In this Act the expression 'subject of any State at war with His Majesty' includes— Definitions.

(i) any person resident and carrying on business in the territory of a State at war with His Majesty ; and

(ii) with reference to a company, any company the business whereof is managed or controlled by such subjects, or is carried on wholly or mainly for the benefit or on behalf of such subjects, notwithstanding that the company may be registered within His Majesty's dominions.

III of 1911. 3. (1) The power of the Governor General in Council under section 77 of the Indian Patents and Designs Act, 1911, to make rules¹ shall include power to make rules— Power to make rules.

(a) for avoiding or suspending in whole or in part any patent or licence, the person entitled to the benefit of which is the subject of any State at war with His Majesty ;

(b) for avoiding or suspending the registration and all or any rights conferred by the registration, of any design the proprietor whereof is a subject as aforesaid ;

(c) for avoiding or suspending any application made by any such person under the said Act ;

(d) for enabling the grant, in favour of persons other than such persons as aforesaid, on such terms and conditions, and either for the whole term of the patent or registration or for such less period, as

¹ For rules under s. 3 see Department of Commerce and Industry Notification No. 5973—9, dated 1st May, 1915 (Part V).

may be thought fit, of licenses to make, use, exercise, or vend, patented inventions and registered designs so liable to avoidance or suspension as aforesaid ; and

(e) for extending the time within which any act or thing may be or is required to be done under the said Act.

(2) If the rules made under this Act so provide the rules or any of them shall have effect from the passing of this Act.

(3) All rules made under this Act shall be published in the Gazette of India, and on such publication shall have effect as if enacted in this Act.

Power in case of exclusive privileges under Act V of 1888.

4. The power to make rules conferred by section 3 (1) (a) and (d) of this Act shall be exercisable in respect of any exclusive privilege acquired under the Inventions and Designs Act, 1888, as if such exclusive privilege had been a patent V of 1888. granted under the Indian Patents and Designs Act, 1911 ; II of 1911. and the power to make rules conferred by section 3 (1) (e) of this Act in respect of anything to be done under the Indian Patents and Designs Act, 1911, shall be exercisable in II of 1911. respect of anything to be done under the Inventions and V of 1888. Designs Act, 1888.

ACT No. XII OF 1915.¹

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

[Received the assent of the Governor General on 22nd September, 1915.]

An Act to provide for the special protection in respect of civil and revenue litigation of Indian soldiers serving under war conditions.

WHEREAS it is expedient to provide for the special protection in respect of civil and revenue litigation of Indian soldiers serving under war conditions ; It is hereby enacted as follows :—

Short title and extent.

1. (1) This Act may be called the Indian Soldiers (Litigation) Act, 1915.

(2) It extends to the whole of British India, including British Baluchistan.

Definitions.

2. In this Act,—

“ Indian soldier ” means any person subject to the Indian VIII of 1911. Army Act, 1911 ;

¹ For application of this Act to Berar under the Indian (Foreign Jurisdiction) Order in Council, 1902, see, Foreign and Political Department Notification No. 179-P., dated 19th November, 1915 (Part VI).

“prescribed” means prescribed by rules made under this Act;

“proceeding” includes suit and appeal; and

“serving under war conditions” means—

- (1) during the continuance of the present war and for six months thereafter, serving out of India or serving in India when such service has been declared by notification of the Governor General in Council in the Gazette of India, to be service under war conditions; and
- (2) after the expiration of that period, serving in any place when such service has been declared, by notification of the Governor General in Council in the Gazette of India, to be service under war conditions.

3. If any person presenting any plaint, application or appeal to any Civil or Revenue Court has reason to believe that any adverse party is an Indian soldier who is serving under war conditions, he shall state the fact in his plaint, application or appeal.

Particulars to be furnished in plaints, applications or appeals to Civil or Revenue Court.

4. If any Civil or Revenue Court has reason to believe that any party to any proceeding pending before such Court is an Indian soldier who is serving under war conditions, and that such soldier is not represented in the proceeding by any person duly authorised to appear, plead, or act on his behalf, such Court shall give notice thereof in the prescribed manner to the prescribed authority.

Notice to be given in case of unrepresented Indian soldier.

5. On receipt of a notice under section 4, the prescribed authority may, if it is of opinion that a postponement of the proceeding as against such soldier is necessary in the interests of justice, certify the fact in the prescribed manner to the Court in which the proceeding is pending, and thereupon such Court shall postpone the proceeding as against such soldier for the prescribed period, or, if no period has been prescribed, for such period as it thinks fit.

Postponement of proceedings.

6. If, after the issue of a notice under section 4, the prescribed authority either certifies that such postponement is not necessary or fails to certify, in the case of a soldier resident in the district in which the Court is situate, within two months or in any other case, within three months from the date of the issue of the notice under section 4, that such postponement is necessary, the Court may, if it thinks fit, continue the proceeding.

Court may proceed when no certificate received within certain period.

7. If the Collector has reason to believe that any Indian soldier who ordinarily resides, or who has property, in his district and is serving under war conditions, is a party to any proceeding pending before any Civil or Revenue Court, and

Power of Collector to intervene suo motu.

that such soldier is not represented in such proceeding by any person duly authorised to appear, plead, and act in his behalf, the Collector may, if he is of opinion that a postponement of the proceeding as against such soldier is necessary in the interests of justice, certify the facts in the prescribed manner to such Court, and if the Court is satisfied that such Indian soldier is not so represented, the Court shall postpone the proceeding as against such soldier in the manner provided in section 5.

Power to set aside decrees and orders passed against an Indian soldier serving under war conditions.

8. (1) In any Proceeding before a Civil or Revenue Court in which a decree or order has been passed against any Indian soldier whilst such soldier was serving under war conditions, such soldier may apply to the Court which passed the same for an order to set it aside; and if he satisfies the Court that default after the 5th of May, 1915, has been made in complying with the provisions of section 3 or 4, the Court shall, or, in any other case if the interests of justice require such a course, the Court, subject to such conditions (if any) as it thinks fit to impose, may make an order setting aside the decree or order as against such soldier :

Provided, firstly, that any such application is made within three months from the date on which such soldier ceased to serve under war conditions; secondly, that no decree or order shall be set aside on any such application unless notice thereof has been served on the opposite party; and thirdly, that when the decree or order is of such a nature that it cannot be set aside as against such soldier only, it may be set aside as against all or any of the parties against whom it has been made.

(2) The provisions of section 5 of the Indian Limitation Act, 1908, shall apply to applications under this section.

(3) Where an order is made in the exercise of the power conferred by sub-section (1), the Court shall continue the proceeding.

Power of Civil or Revenue Court to refer question of whether service was under war conditions or not. Rule-making power.

9. If any Civil or Revenue Court is in doubt whether any Indian soldier is or was at any particular time serving under war conditions, such Court may refer the point for the decision of the prescribed authority, and the certificate of such authority shall be conclusive evidence on the point.

10. The Local Government, after consulting the High Court, may, by notification in the local official gazette, make rules —

(a) prescribing the manner and form in which any notice or certificate under this Act shall be given and the authorities to whom such notices shall be given, and by whom the powers under this Act shall be exercised :

(b) the period for which proceedings or any class of proceeding shall be suspended under this Act, and

(c) generally providing for any matters incidental to the purposes of this Act.

IX of 1908.

11. In computing the period of limitation prescribed by the Indian Limitation Act, 1908, or any other law for the time being in force for any suit, appeal or application to any Civil or Revenue Court in which the plaintiff, appellant or applicant is an Indian soldier, the time during which such soldier has been serving under war conditions, since the 4th of August, 1914, shall be excluded.

Modification of law of limitation in the case of Indian soldier serving under war conditions.

12. The Governor-General in Council may, by notification in the Gazette of India, direct that all or any of the provisions of this Act shall apply to any other class of persons in the service of His Majesty specified in such notification in the same manner as they apply to Indian soldiers, and upon such notification such provisions shall apply accordingly.

Power to apply the provisions of this Act to other persons in the service of the Crown.

13. The Indian Soldiers (Litigation) Ordinance, 1915, is hereby repealed.

Repeal of Ordinance No. II of 1915.

ACT No. XIV OF 1915.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

[Received the assent of the Governor General on 1st October, 1915.]

An Act to provide facilities for payment to a public authority of certain moneys, the payment of which is, or may be, prohibited owing to the present war and to provide for other matters in connection with trading with foreigners.

WHEREAS it is expedient to provide facilities for the payment to a public authority of certain moneys, the payment of which is, or may be, prohibited by, or under the provisions of, any Proclamation or Order in Council of His Majesty for the time being in force, relating to trading, commercial intercourse, or other dealings with subjects of States at war with His Majesty, and to afford like facilities in the case of moneys due to certain classes of foreigners, and to extend the law relating to the contravention of the provisions of any such Proclamation or Order in Council, and to make further provisions as to dealings with foreigners; It is hereby enacted as follows:—

1. (1) This Act may be called the Enemy Trading Act, 1915;

Short title, extent and duration.

(2) It extends to the whole of British India, including the Sonthal Parganas; and

(3) It shall remain in force during the continuance of the present war, and for a period of six months thereafter.

Definitions.

2. In this Act,—

“custodian” means a custodian of enemy property appointed under this Act;

“Enemy Trading Proclamation” means any Proclamation or Order in Council of His Majesty for the time being in force, relating to trading, commercial intercourse or other dealings with subjects of States at war with His Majesty;

“foreigner” has the same meaning as in the Foreigners Act, 1864;

III of 1864.

“prescribed” means prescribed by rules made under this Act.

Constitution of the office of custodian of enemy property.

3. (1) The Governor General in Council shall appoint so many persons, as he thinks fit, to act as custodians for the whole or any part of British India for the purpose of receiving, holding and dealing with such money as may be paid to them in pursuance of this Act.

(2) Custodians shall, subject to the provisions of this Act, have such powers and duties, with respect to the money held by them in their capacity as custodians, as may be prescribed.

(3) If any question arises as to the custodian to whom any money may be paid under this Act, the question shall be determined by the Governor General in Council.

Power to pay to custodian certain prohibited payments.

4. (1) Any sum, by way of dividends, interest or share of profits, the payment of which to, or for the benefit of, any person is prohibited by or under any Enemy Trading Proclamation may, subject to the provisions of section 7, be paid by the person by whom it would have been payable, if a state of war had not existed, to the custodian to hold subject to the provisions of this Act.

(2) Where, before the commencement of this Act, any such sum has been paid into any account with a bank, or has been paid to any other person in trust, the bank or other person may pay the same to the custodian to hold as aforesaid.

(3) On such payment the bank or other person shall be exempt from all liability in respect of such payment.

Power to pay to custodian sums the receipt of which is prohibited under enactments relating to foreigners.

5. Where, by or under any enactment for the time being in force relating to foreigners, any person is absolutely prohibited from carrying on, or engaging in, any trade or business, or from receiving any money, any sum payable to, or for the benefit of, such person in the way of his trade or business, or any such money may, subject to the provisions of section 7, be paid by the person by whom it is payable, to the custodian to hold subject to the provisions of this Act.

6. Any person paying money to a custodian under the provisions of section 4 or section 5 shall, at the same time, furnish such particulars in regard to the payment as the custodian, subject to any rules prescribed in this behalf, may require; until such particulars have been furnished to the satisfaction of the custodian, the custodian shall not grant a receipt for such money.

Particulars of payment to be furnished to custodian.

7. (1) The custodian may refuse to receive any money on the ground that it is not money to which the foregoing provisions of this Act apply or, with the sanction of the Local Government, for any other reason.

Power to refuse payments, and to decide whether payment is one to which the Act applies.

(2) In the event of any question arising as to whether any money is money to which the foregoing provisions of this Act apply, the decision of the custodian on the question shall be final.

8. Where any money is paid to a custodian under the foregoing provisions of this Act, the receipt of such custodian, or any person duly authorised by him to sign receipts on his behalf for any such money, shall be a good discharge to the person paying the same as against the person in respect of whom the money was paid to the custodian.

Receipt of the custodian to be good discharge.

9. (1) The custodian shall hold and deal with any money paid to him under this Act in accordance with such directions as he may receive from the Governor General in Council.

Holding of money by custodian.

(2) Money held by the custodian under this Act shall not, save as may be otherwise prescribed, be liable to be attached or otherwise taken in execution of a decree.

(3) The custodian shall keep a register of all money held by him under this Act, which register shall be open to public inspection at such reasonable times as he may direct.

10. No suit or other proceeding shall lie against a custodian for anything done, or intended to be done, in good faith under this Act or any rule made thereunder.

Protection of good custodians.

11. (1) The Governor General in Council may, by notification in the Gazette of India, make rules for carrying into effect the provisions of this Act.

Rule-making power.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for—

- (a) the powers and duties of custodians;
- (b) the particulars to be furnished to custodians by persons making payments to them; and
- (c) the payment of money in the hands of the custodian in satisfaction of decrees and debts.

(3) All rules made under this section shall have effect as if enacted in this Act.

Power to extend provisions of Act to other prohibited payments.

12. The Governor General in Council may, by notification in the Gazette of India, direct that the provisions of section 4 of this Act, enabling certain moneys to be paid to custodians, shall apply to any payments, the making of which is prohibited by or under any Enemy Trading Proclamation and which are not provided for by that section; and upon such notification, the Act shall be read and construed as if such payments had been included in section 4.

Power to extend provisions of Act to sums in the hands of public officers under enactments relating to foreigners.

13. (1) The Governor General in Council may, by order in writing, direct that any money which is in, or may come into, the hands of any public officer by or under the provisions of any enactment for the time being in force, relating to foreigners, shall be paid by such officer to such custodian as may be specified in the order.

(2) Any money paid to a custodian, in accordance with the provisions of sub-section (1), shall be deemed to be money paid to the custodian in pursuance of this Act, and the provisions of this Act shall apply accordingly.

Power to prohibit by order payments to certain foreigners.

14. (1) The Governor General in Council may, by order¹ in writing, prohibit or restrict any person or class of persons from carrying on trade or business with or transferring any property, moveable or immoveable, to any person or class of persons in respect of whom any restriction has been imposed by or under any enactment for the time being in force relating to foreigners.

(2) Any person who contravenes or attempts to contravene the provisions of any order made under sub-section (1) shall be punishable with the punishment provided for an offence under section 4 of the Foreigners Ordinance, III of 1914.

(3) The Governor General in Council may, by notification in the Gazette of India, delegate to any Local Government, subject to such restrictions and conditions as he thinks fit, all or any of the powers conferred upon him by this section.

Amendment of section 3 of Ordinance VI of 1914 as re-enacted by Act I of 1915.

15. Section 3 of the Commercial Intercourse with Enemies Ordinance, 1914, as in force by virtue of section 2 VI of 1914. of the Emergency Legislation Continuance Act, 1915, shall I of 1915. be read and construed as if after the word "contravenes" the words "attempts, or directly or indirectly offers, proposes or agrees, or has, since the 14th day of October, 1914, attempted or directly or indirectly offered, proposed or agreed, to do any act in contravention of," were inserted.

¹ See Department of Commerce and Industry Notification No. 15956-W., dated 16th October, 1915 (Part V).

Part II.

ORDINANCES.

ORDINANCE No. I OF 1914.¹

[7th August, 1914.]

An Ordinance for securing the control of the Press during war.

[Published in the Gazette of India Extraordinary of the 7th August, 1914.]

WHEREAS an emergency has arisen which makes it necessary to control the publication of naval or military news or information ;

24 & 25
Vict., c. 67.

Now, therefore, in exercise of the power conferred by section 23 of the Indian Councils Act, 1861, the Governor General is pleased to make and promulgate the following Ordinance :—

ORDINANCE No. I OF 1914.

1. (1) This Ordinance may be called the Indian Naval and Military News (Emergency) Ordinance, 1914. Short title
and extent.

(2) It extends to the whole of British India, including British Baluchistan, the Sonthal Parganas, the District of Angul, the Shan States and the Pargana of Spiti ; and it applies also to :—

- (a) All Native Indian subjects of His Majesty in any place without and beyond British India ;
- (b) All other British subjects within the territories of any Native Prince or Chief in India ; and
- (c) All servants of His Majesty, whether British subjects or not, within the territories of any Native Prince or Chief in India.

¹ Kept in force as long as the war lasts and for six months thereafter by Act I of 1915 (Part I).

For application of this Ordinance to Berar under the Indian (Foreign Jurisdiction) Order in Council, 1902, *see* Foreign and Political Department Notification No. 1387-I. B., dated 11th August, 1914 (Part VI).

Prohibition
of publication
of naval or
military news
or informa-
tion.

2. It shall not be lawful to publish any information with reference to movements or dispositions of troops, ships, aircraft or war material or to the strategic or other plans or schemes of the naval or military authorities of any part of the British Empire or to any works or measures undertaken for or connected with the defence or fortification of the British Empire or any part thereof or any statement, comment or suggestion calculated directly or indirectly to convey any such information except when such information has been supplied for publication under the authority of the Governor General in Council or of a Local Government, or has been approved for publication by an officer appointed in this behalf,

(a) by the Governor General in Council ; or

(b) by any officer to whom the Governor General in Council has delegated the power of such appointment.

Explanation.—In this section the expression “British Empire” includes all territories under the suzerainty or protection of His Majesty.

Penalties.

3. The publisher, editor and printer of any newspaper, magazine, book, pamphlet or other document by means of which any information, statement, comment or suggestion is published in contravention of this Ordinance shall severally be punishable in respect of each offence with imprisonment of either description for a term which may extend to one year, or with fine which may extend to five thousand rupees, or with both, and any other person who sells any newspaper, magazine, book, pamphlet or other document knowing it to contain any such information, statement, comment or suggestion or who is otherwise knowingly responsible for the publication of any such information, statement, comment or suggestion shall be liable to a similar penalty.

Restriction
on trial of
offences.

4. (1) No Court shall proceed to the trial of any offence punishable under this Ordinance unless upon complaint made by order of, or under authority from, the Governor General in Council, the Local Government or some officer empowered by the Governor General in Council in this behalf.

(2) No magistrate other than a presidency magistrate, district magistrate, or sub-divisional magistrate shall take cognizance of or try any offence punishable under this Ordinance.

Power of
police-officer
to seize
documents
publishing
information in
contravention
of this
Ordinance.

5. Any police-officer may seize any newspaper, magazine, book, pamphlet or other document in which any information, statement, comment or suggestion is published in contravention of this Ordinance, and such officer shall forward anything seized to a presidency magistrate, district magistrate or sub-divisional magistrate, having jurisdiction in the place where such thing was seized.

6. (1) Whenever any newspaper, magazine, book, pamphlet or other document is published in contravention of this Ordinance, a presidency magistrate, district magistrate or sub-divisional magistrate may, whether the offender is convicted or not, order that all copies of such newspaper, magazine, book, pamphlet or other document within the limits of his jurisdiction shall be confiscated.

Power of magistrate to confiscate documents published in contravention of Ordinance.

(2) A magistrate making an order under sub-section (1) may issue a warrant to any police-officer to seize and detain anything confiscated under that sub-section and to search for such thing in any place where such thing is known or reasonably suspected to be.

7. (1) Whenever a presidency magistrate, district magistrate, or sub-divisional magistrate is satisfied from a police report or otherwise that any information, statement, comment or suggestion is being or is likely to be published in contravention of this Ordinance within the limits of his jurisdiction, he may issue a warrant to a police-officer to search for, seize and detain any document containing such information, statement, comment or suggestion.

Power of magistrate to issue search warrants and order confiscation in certain cases.

(2) Such magistrate may order that anything seized under a warrant issued under sub-section (1) shall be confiscated.

8. A police-officer to whom a warrant under section 6 or section 7 is directed may search in any place and seize and detain anything in accordance with the provisions of the warrant, and shall forward anything seized to the magistrate by whom the warrant was issued.

Power of police-officer executing search warrant.

9. No order made or purporting to be made in accordance with the provisions of this Ordinance directing or relating to the issue of a search-warrant or the confiscation of anything shall be called in question in any Court, and no civil or criminal proceeding shall be instituted against any magistrate or police-officer for anything done in good faith under this Ordinance or purporting to be so done.

Bar of jurisdiction of Courts.

10. A certificate signed by a Secretary to the Government of India to the fact that any territory is or is not under the suzerainty or protection of His Majesty shall, in any proceeding under this Ordinance, be conclusive evidence of such fact.

Certificate by Secretary to Government to be evidence of certain facts.

11. Save as otherwise expressly provided the provisions of the Code of Criminal Procedure, 1893, shall apply to all proceedings under this Ordinance.

Application of Code of Criminal Procedure, 1893, to proceedings under this Ordinance.

Act V of 1893.

HARDINGE OF PENSHURST,

Viceroy and Governor General.

ORDINANCE No. II OF 1914.¹

[14th August, 1914.]

An Ordinance to provide for the impressment of vessels for the service of His Majesty.

[*Published in the Gazette of India Extraordinary of the 14th August, 1914.*]

WHEREAS an emergency has arisen which makes it necessary to provide for the impressment of vessels for the service of His Majesty ;

Now, therefore, in exercise of the power conferred by section 23 of the Indian Councils Act, 1861, the Governor ^{24 & 25} _{Vict., c. 67.} General is pleased to make and promulgate the following Ordinance :—

Short title
and extent.

1. (1) This Ordinance may be called the Impressment of Vessels Ordinance, 1914.

(2) It extends to the Provinces of Madras, Bombay, Bengal and Burma.

Definitions.

2. In this Ordinance unless there is anything repugnant in the subject or context—

(a) the expression “gazetted officer” has the same meaning as in the Indian Marine Act, 1887; XIV of 1887.

(b) “owner of a vessel” includes the Agent of any such owner in any port in which such vessel may be; and

(c) “vessel” means any ship or boat or any other description of vessel used for navigation, and includes all tackle, appliances, coal, stores and other moveable property of any description on or appertaining to such vessel, except cargo and the personal effects of passengers or of the officers and crew of such vessel.

Power to
impress
vessels for
His Majesty's
Service.

3. The Governor General in Council may, by notification² in the Gazette of India, empower the Director or any gazetted officer of the Indian Marine Service to impress temporarily for the service of His Majesty vessels in any specified port.

Requisition
upon owners
and masters
of vessels
required for
such service.

4. (1) Any officer empowered under section 3 may issue a requisition in writing to the owner of any vessel in the port specified in the notification, or in the absence of such owner from such port, or if the name and address of such owner

¹ Kept in force as long as the war lasts and for six months thereafter by Act I of 1915 (Part I).

² For Notification under s. 3, see Marine Department Notification No. 73¹ dated 18th August, 1915 (Part VI).

cannot after reasonable inquiry be ascertained, to the master of any such vessel, to furnish the same for the service of His Majesty.

(2) An officer making a requisition under sub-section (1) shall state therein, if possible, the approximate period for which the vessel will be required, and

(3) Any such officer may, at the time of making the requisition, or subsequently, exempt therefrom any tackle, appliances, coal, stores or other moveable property on or appertaining to any vessel requisitioned.

5. (1) Compensation shall be paid by the Government of India to the owner of any vessel impressed under this Ordinance.

Payment of compensation for vessels impressed and assessment thereof.

(2) Such compensation shall be assessed by agreement between the officer making the requisition and the owner of the vessel impressed, or failing such agreement, in such manner as may be prescribed by the Governor General in Council by rules in this behalf.

6. If the owner or master of any vessel requisitioned for the service of His Majesty under the provisions of section 4 fails to furnish such vessel in accordance with the terms of the requisition, the officer by whom the requisition was made may, whether the compensation payable in respect of the impressment of such vessel has been assessed or not, seize, retain and use such vessel for the service of His Majesty, using such force as may be required, and all magistrates and police-officers shall be bound to render such assistance as he may reasonably demand in seizing and retaining a vessel under this section.

Powers of requisitioning officer in case of failure of owner, etc., to furnish vessel.

7. No requisition made under this Ordinance shall be called in question in any court, and save as herein provided no liability, civil or criminal, shall be incurred by any officer of Government by reason of anything done or purporting to be done in accordance with the provisions of this Ordinance.

Bar of jurisdiction of Courts.

8. Nothing in this Ordinance shall be deemed—

(a) to affect or derogate from any power of seizure or requisition exercised in pursuance of any Proclamation or Order in Council of His Majesty; or

Saving of powers conferred by Proclamations or Orders in Council of His Majesty.

(b) to authorize any seizure or requisition in contravention of any such Proclamation or Order in Council.

HARDINGE OF PENSHURST,

Viceroy and Governor General.

ORDINANCE No. III of 1914.¹

[20th August, 1914.]

An Ordinance to provide for the exercise of more effective control over foreigners in British India.

[Published in the Gazette of India Extraordinary of the 20th August, 1914.]

WHEREAS an emergency has arisen which makes it necessary to provide for the exercise of more effective control over foreigners in British India;

Now, therefore, in exercise of the power conferred by section 23 of the Indian Councils Act, 1861, the Governor General is pleased to make and promulgate the following Ordinance:—

Short title
and extent.

1. (1) This Ordinance may be called the Foreigners Ordinance, 1914.

Definitions.

(2) It extends to the whole of British India, including British Baluchistan, the Sonthal Parganas, the District of Angul, the Shan States and the Pargana of Spiti.

2. In this Ordinance—

(a) "foreigner" has the same meaning as in the Foreigners Act, 1864;

III of 1864.

(b) "prescribed" means prescribed by rules made under this Ordinance.

Power to
prohibit or
regulate
entry,
departure
and residence
of foreigners.

3. (1) The Governor General in Council may by order*—

(a) prohibit, or regulate and restrict in such manner as he thinks fit, the entry of foreigners into British India and their departure from British India; and

(b) regulate or restrict in such manner as he thinks fit the liberty of foreigners residing or being in British India.

(2) In particular and without prejudice to the generality of the foregoing power orders under sub-section (1) may provide—

(a) that no foreigner shall enter into or depart from British India, save within such period and by

¹ Kept in force as long as the war lasts and for six months thereafter by Act I of 1915 (Part I).

*For orders under s. 3, see Home Department Notifications No. 909, dated 22nd August, 1914 and 3505, dated 14th October, 1915, (Part VI), also Department of Commerce and Industry Notification No. 807-W., dated 14th November, 1914, (Part VI) and Notification No. 1296-W., dated 28th November, 1914, (Part VI).

- such route, or by such port or place as may be specified in such order ;
- (b) that foreigners shall be prohibited from entering or remaining in any specified area in British India or shall only be permitted to enter or remain in British India or any specified area therein subject to such conditions and restrictions as the Governor General in Council may impose ;*
- (c) that foreigners residing or being in British India shall remove themselves to and remain in any specified area, or if such an order is necessary for the public safety, or in the interests of the State, that such foreigners shall be arrested and interned or confined in such manner as the Governor General in Council may think fit ; † [and
- †(d) that foreigners residing or being in British India shall be prohibited from carrying on trade or business or from dealing with any property; moveable or immoveable, or shall only carry on trade or business, subject to such conditions and restrictions as the Governor General in Council may impose, or shall deal with any such property in such manner as the Governor General in Council may direct].

‡3A. The power conferred by section 3 may be exercised, so far as the same may be applicable, in respect of any company or association, or body of individuals, whether incorporated or not, of which any member or officer is a foreigner § [or of which a foreigner was, on the 3rd day of August, 1914, a member or officer] and which has an office, agency or place of business in British India.

Power as to Companies and Associations.

|| 4. (1) Any [person] ¶ who contravenes or attempts to contravene the provisions of any order made under section 3, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

Penalties.

**[(2) Where a company, association, or body of individuals has done any act which is an offence under sub-section (1),

* The word "and" was omitted by section 2 (a) of the Foreigners (Amendment) Ordinance, 1914 (VII of 1914), *infra*.

† The word "and" and clause (d) were added by section 2 (b), *ibid*.

‡ Section 3A was inserted by section 3, *ibid*.

§ These words were added by section 2 of the Foreigners (Further Amendment) Ordinance, 1914 (VIII of 1914).

|| Section 4 was renumbered 4(1) by section 4 (1) of the Foreigners (Amendment) Ordinance, 1914 (VII of 1914).

¶ The word "person" was substituted for the word "foreigner" by section 4 (1), *ibid*.

** This sub-section was added by section 4 (2) of the Foreigners (Amendment) Ordinance, 1914 (VII of 1914).

every member or officer of such company, association or body who is knowingly a party to such act, shall be deemed to have committed an offence under the said sub-section].

Householder
to report
residence of
any foreigner
in his house
to prescribed
authority in
specified
areas.

5. (1) The Governor General in Council or any Local Government may, by notification in the Gazette of India or the local official Gazette, as the case may be, direct that, within any area specified in such notification, every householder in whose house a foreigner is residing either temporarily or permanently shall forthwith report to the prescribed authority in the prescribed manner, the name of such foreigner, and such other particulars respecting him and the period of his residence in such house as may be prescribed.

(2) Any householder who fails to comply with the provisions of any notification issued under sub-section (1) shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Orders under
Ordinance
may be
general or
special.

6. Where under the provisions of this Ordinance the Governor General in Council or any Local Government is authorised to make any order or issue any notification in respect of foreigners, such order may be made or such notification issued in respect of foreigners generally or in respect of any class or description of foreigners, or in respect of any individual foreigner, and different orders or notifications may be made or issued in respect of different classes of foreigners.

Power to
make rules.

7. (1) The Governor General in Council may make rules for the purpose of carrying into effect the provisions of this Ordinance:

In particular and without prejudice to the generality of the foregoing power such rules may provide for—

- (a) the authority to whom, and the manner in which, reports under section 5 shall be made and the particulars to be stated therein; and
- (b) the manner in which orders under this Ordinance shall be enforced.

(2) All rules made under this section shall have effect as if enacted in this Ordinance.

Power to
rescind or
modify rules
or orders.

8. The Governor General in Council or the Local Government may at any time rescind or modify any order, rule or notification made or issued under this Ordinance, and the Governor General in Council may delegate, subject to such conditions and restrictions as he thinks fit, all or any of his powers under this Ordinance to any civil or military authority in British India either by name or in virtue of his office.

Saving of
powers under
existing law.

9. Nothing in this Ordinance shall be deemed to affect or derogate from any power which may be exercised under the Foreigners Act, 1864, or under any other law for the

time being in force in respect of foreigners generally or in respect of foreigners who are subjects of a State which is at war with His Majesty.

10. The Governor General in Council may exempt, either absolutely or conditionally, any foreigner or any class or description of foreigners from all or any of the provisions of this Ordinance. Power of exemption. 2

11. No order made under section 3 of this Ordinance shall be called in question in any Court. Bar of jurisdiction of Courts.

HARDINGE OF PENSHURST,

Viceroy and Governor General.

ORDINANCE No. IV OF 1914.¹

[22nd August, 1914.]

An Ordinance to render members of the Indian Volunteer force on actual military service subject to military law as officers or soldiers.

[Published in the Gazette of India Extraordinary of the 22nd August, 1914.]

WHEREAS an emergency has arisen which renders it necessary that the officers, non-commissioned officers and men of volunteer corps, called out for actual military service, shall be subject to military law in all respects as officers or soldiers, as the case may be ;

24 & 25
Vict., c. 67.

Now, therefore, in exercise of the power conferred by section 23 of the Indian Councils Act, 1861, the Governor General is pleased to make and promulgate the following Ordinance :—

1. (1) This Ordinance may be called the Indian Volunteers Ordinance, 1914. Short title and extent.

(2) It extends to the whole of British India, including British Baluchistan and the Sonthal Parganas, and applies also to British subjects within the territories of any Native Prince or Chief in India.

XX of 1869.

2. The members of any corps or portion of a corps of volunteers called out for actual military service under section 27 of the Indian Volunteers Act, 1869 (hereinafter referred to as the said Act), shall, whether enrolled before or after the promulgation of this Ordinance, and notwithstanding Law applicable to volunteers on actual military service.

¹ Kept in force as long as the war lasts and for six months thereafter by Act I of 1915 (Part I).

anything contained in the said Act, be subject in all respects to military law, the officers as officers, and the non-commissioned officers and men as soldiers, and the Army Act shall apply to them accordingly. 44 & 45 Vict.,
c. 58.

Resignation of volunteers enrolled prior to promulgation of this Ordinance.

3. Any non-commissioned officer or man of any corps of volunteers who has been enrolled before the promulgation of this Ordinance shall, whether on actual military service or not, and notwithstanding anything contained in section 13 of the said Act, be entitled to quit such corps within one month from the date of promulgation of this Ordinance; and seven days' previous notice in writing shall not be required in the case of non-commissioned officers and men quitting a corps in accordance with this section.

HARDINGE OF PENSHURST,
Viceroy and Governor General.

ORDINANCE No. V OF 1914.¹

[5th September, 1914.]

An Ordinance to provide for the control of persons entering British India, whether by sea or land, in order to protect the State from danger of anything prejudicial to its safety, interests or tranquillity.

[Published in the Gazette of India Extraordinary of the 5th September, 1914.]

WHEREAS an emergency has arisen which makes it necessary to provide for the control of persons entering British India, whether by sea or land, in order to protect the State from danger of anything prejudicial to its safety, interests or tranquillity;

Now, therefore, in exercise of the powers conferred by section 23 of the Indian Councils Act, 1861, the Governor 24 & 25 Vict.,
c. 67.
General is pleased to make and promulgate the following Ordinance:—

Short title and extent.

1. (1) This ²Ordinance may be called the Ingress into India Ordinance, 1914.

(2) It extends to the whole of British India, including British Baluchistan, the Sonthal Parganas, the District of Angul, the Shan States and the Pargana of Spiti.

¹Kept in force as long as the war lasts and for six months thereafter by Act I of 1915 (Part I).

²For application of this Ordinance to Berar, under the Indian (Foreign Jurisdiction) Order in Council, 1902, see Foreign and Political Department Notification No. 599-D., dated 29th January, 1915, (Part VI).

III of 1914.

2. The Foreigners Ordinance, 1914, shall have effect as if references therein to foreigners included references also to persons not being foreigners as therein defined, who enter British India, whether by sea or land, after the commencement of this Ordinance,¹ subject to the following modifications, namely :—

Application of
Ordinance
III of 1914.

(1) The power to prohibit entry, conferred by the said Ordinance, shall not be exercised.

(2) No power under the said Ordinance as applied by this Ordinance shall be exercised, unless the authority exercising the same is satisfied that the exercise thereof is desirable in order to protect the State from the prosecution of some purpose prejudicial to its safety, interests or tranquillity.

(3) For the imprisonment provided by section 4 and section 5 (2) of the said Ordinance, the following imprisonment shall be substituted, namely, in section 4, one year, and in section 5 (2), one month.

III of 1914.

3. This Ordinance shall be construed with, and deemed to be part of, the Foreigners Ordinance, 1914.

Construction.

HARDINGE OF PENSHURST,

Viceroy and Governor General.

ORDINANCE No. VI of 1914.²

[14th October, 1914.]

An Ordinance to prohibit financial and other dealings with any State at war with His Majesty and to provide for the punishment of persons contravening any Proclamation or Order in Council of His Majesty the King-Emperor, relating to trade, commercial intercourse or other dealings with His Majesty's enemies.

[Published in the Gazette of India Extraordinary of the 14th October, 1914.]

WHEREAS an emergency has arisen which makes it necessary to prohibit financial and other dealings with any State at war with His Majesty and to provide for the punishment of persons contravening the provisions of any Proclamation or Order in Council of His Majesty the King-Emperor, for

¹ For the insertion of certain words in s. 2 as applied to Berar, see Foreign and Political Department Notification No. 599-D., dated the 29th January, 1915 (Part VI).

² Kept in force as long as the war lasts and for six months thereafter by Act J of 1915 (Part I).

the time being in force, relating to trade, commercial intercourse or other dealings with His Majesty's enemies;

Now, therefore, in exercise of the power conferred by section 23 of the Indian Councils Act, 1861, the Governor General is pleased to make and promulgate the following Ordinance:—

24 & 25
Vict., c. 67.

Short title
and extent.

1. (1) This Ordinance may be called the Commercial Intercourse with Enemies Ordinance, 1914.

(2) It extends to the whole of British India, including British Baluchistan, the Southal Parganas, the District of Angul, the Shan States and the Pargana of Spiti; and it applies also to—

(a) all British and Native Indian subjects of His Majesty within the territories of any Native Prince or Chief in India; and

(b) all servants of His Majesty, whether British subjects or not, within the territories of any Native Prince or Chief in India.

Prohibition
against
financial and
other dealings
with hostile
State.

2. (1) During the continuance of a state of war between His Majesty and any State it shall not be lawful to contribute to, or participate in, or assist in, the floating of any loan raised by or on behalf of the Government of such State, or to advance money to, or enter into any contract or dealings with, or otherwise to aid, abet or assist the Government of such State.

(2) Any person contravening the provisions of this section shall be punishable as if he had committed an offence under section 121 of the Indian Penal Code.

Act XLV of
1860.

Penalty
for trading
in contraven-
tion of His
Majesty's
direction.

3. During the continuance of a state of war between His Majesty and any State, any person who contravenes, [attempts, or directly or indirectly offers, proposes or agrees, or has, since the 14th day of October, 1914, attempted or directly or indirectly offered, proposed or agreed, to do any act in contravention of] any of the provisions of any Proclamation or Order in Council of His Majesty, for the time being in force, relating to trade, commercial intercourse or other dealings with any subject of such State, or any person residing, carrying on business or being in the territories, colonies or dependencies of such State shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

Provision
relating to
companies
and associa-
tions.

4. Where a company, association or body of individuals, whether incorporated or not, has done any act which is an offence under this Ordinance, every member or officer of such company, association or body, who is knowingly a party to such act, shall be deemed to have committed such offence.

¹ By s. 15 of Act XIV of 1915 (Part I) section 3 is to be read and construed as if these words were inserted.

5. A certificate signed by a Secretary to the Government of India, or by any officer of Government authorised in this behalf¹ by the Governor General in Council, certifying to the fact that on the date specified in such certificate any State was or was not at war with His Majesty, shall be conclusive evidence of such fact.

Certificate of Secretary to Government to be conclusive evidence of certain facts.

6. Nothing in this Ordinance shall be deemed to prohibit anything done by command of, or under licence granted by or under the authority of, His Majesty or the Governor General.

Saving.

7. (1) No Court shall proceed to the trial of any offence under this Ordinance unless upon complaint made by order of, or under the authority of, the Governor General in Council, the Local Government, or some officer empowered by the Governor General in Council in this behalf.

Trial of offences.

(2) No Court inferior to a Court of Session shall try any offence punishable under section 2, and no Court inferior to that of a presidency magistrate or magistrate of the first class shall try any offence punishable under section 3.

HARDINGE OF PENSHURST,

Secretary and Governor General.

ORDINANCE No. VII OF 1914.²

[14th October, 1914.]

An Ordinance to amend the Foreigners Ordinance, 1914.

[Published in the Gazette of India Extraordinary of the 14th October, 1914.]

III of 1914. WHEREAS an emergency has arisen which makes it necessary to amend the Foreigners Ordinance, 1914;

24 & 25 Vict., c. 67. Now, therefore, in exercise of the power conferred by section 23 of the Indian Councils Act, 1861, the Governor General is pleased to make and promulgate the following Ordinance:—

1. This Ordinance may be called the Foreigners (Amendment) Ordinance, 1914.

III of 1914.

2. In section 3, sub-section (2), of the Foreigners Ordinance, 1914, hereinafter called "the said Ordinance," the following amendments shall be made, namely—

Amendment of section 3, Foreigners Ordinance, 1914.

(a) in clause (b), the word "and", where it occurs for the second time, shall be omitted;

¹For delegation of powers under section 5 to the Chief Secretaries to the Governments of Bombay and Madras, see Notifications No. 1674-W., dated 12th December, 1914, and No. 13574-W., dated 14th August, 1915 (Part VI).

²Kept in force as long as the war lasts and for six months thereafter by Act I of 1915 (Part I).

(b) after clause (c), the following shall be added, namely:—

“and

(d) that foreigners residing or being in British India, shall be prohibited from carrying on trade or business or from dealing with any property, moveable or immoveable, or shall only carry on trade or business, subject to such conditions and restrictions as the Governor General in Council may impose, or shall deal with any such property in such manner as the Governor General in Council may direct”.

Insertion of
new section
after
section 3.
Power as to
Companies
and Associa-
tions.

3. After section 3 of the said Ordinance the following section shall be inserted, namely—

“3A. The power conferred by section 3 may be exercised, so far as the same may be applicable, in respect of any company or association, or body of individuals, whether incorporated or not, of which any member or officer is a foreigner and which has an office, agency or place of business in British India”.

Amendment
of section 4,
Foreigners
Ordinance,
1914.

4. (1) Section 4 of the said Ordinance shall be renumbered section 4, sub-section (1), and in the said sub-section as renumbered, for the word “foreigner” the word “person” shall be substituted.

(2) After section 4 (1) as renumbered, the following sub-section shall be added, namely:—

“(2) Where a company, association, or body of individuals has done any act which is an offence under sub-section (1), every member or officer of such company, association or body, who is knowingly a party to such act, shall be deemed to have committed an offence under the said sub-section”.

HARDINGE OF PENSHURST,

Viceroy and Governor General.

ORDINANCE No. VIII OF 1914.¹

[14th November, 1914.]

An Ordinance further to amend the Foreigners Ordinance, 1914.

[*Published in the Gazette of India Extraordinary of the 14th November, 1914.*]

WHEREAS an emergency has arisen which makes it necessary further to amend the Foreigners Ordinance, 1914;

¹ Kept in force as long as the war lasts and for six months thereafter by Act I of 1915 (Part I).

24 & 25 Vict., c. 67. Now, therefore, in exercise of the power conferred by section 23 of the Indian Councils Act, 1861, the Governor General is pleased to make and promulgate the following Ordinance :—

1. This Ordinance may be called the Foreigners (Further short title. Amendment) Ordinance, 1914.

III of 1914. 2. In section 3A of the Foreigners Ordinance, 1914, as Amendment of section 3A of the Foreigners Ordinance, 1914. VII of 1914. amended by the Foreigners (Amendment) Ordinance, 1914, after the word "foreigner" the following words shall be inserted, namely :—

"or of which a foreigner was, on the 3rd day of August, 1914, a member or officer".

HARDINGE OF PENSHURST,
Viceroy and Governor General.

ORDINANCE No. IX OF 1914.¹

[30th November, 1914.]

An Ordinance to provide power to obtain information as to stocks of articles of commerce and to enable possession to be taken of stocks of articles of commerce unreasonably withheld from the market.

[*Published in the Gazette of India Extraordinary of the 30th November, 1914.*]

WHEREAS an emergency has arisen which makes it necessary to provide power to obtain information as to stocks of articles of commerce and to enable possession to be taken of stocks of articles of commerce unreasonably withheld from the market;

24 & 25 Vict., c. 67. Now, therefore, in exercise of the power conferred by section 23 of the Indian Councils Act, 1861, the Governor General is pleased to make and promulgate the following Ordinance.

1. (1) This Ordinance may be called the Articles of Commerce Ordinance, 1914. Short title and extent.

(2) It extends to the whole of British India, including British Baluchistan, the Sonthal Parganas and the District of Angul.

¹ Kept in force as long as the war lasts and for six months thereafter by Act I of 1915 (Part I).

Definitions.

2. In this Ordinance unless there is anything repugnant in the subject or context,—

- (a) "owner" in relation to any article of commerce includes any person who as agent or otherwise has power to sell the article; "
- (b) "prescribed" means prescribed by rules made under this Ordinance.

Power to call for returns of articles of commerce.

3. (1) The Governor General in Council, as regards the whole or any part of British India, and each Local Government, as regards the whole or any part of the province, may by general or special order, require any person or class of persons to make a return, giving such particulars as may be required in the order, of any article of commerce of which he or any person belonging to such class is the owner, and to submit such return to such authority, within such time, as may be specified in the order.

(2) The Governor General in Council, or the Local Government, may, for the purpose of testing the accuracy of any return made in accordance with the provisions of sub-section (1), or of obtaining information in case of a failure to make a return, empower, by general or special order, any person to enter and search any place in which such person has reason to believe that there are kept or stored any articles which have been or were required to be included in the return and of which the person making or required to make the return is or was the owner, and a person so empowered may take such measures as he thinks necessary for testing the accuracy of the return or for obtaining such information.

Returns or information not to be disclosed.

4. No individual return or part of a return made, and no information obtained, in accordance with the provisions of section 3 shall be published or disclosed except for the purposes of a prosecution under this Ordinance.

Penalties.

5. Whoever—

- (a) intentionally omits to make a return when so required by an order under section 3; or
- (b) makes or causes to be made any return which he knows or believes to be false or does not believe to be true; or
- (c) obstructs or impedes any person empowered under section 3, sub-section (2), in the exercise of any of his powers under that sub-section; or
- (d) refuses to answer or gives an answer which he knows or believes to be false or does not believe to be true to any question necessary for obtaining the information required to be furnished under this Ordinance,

shall be punishable with imprisonment of either description for a term which may extend to six months, or with fine which may extend to rupees one thousand, or with both.

6. (1) If the Governor General in Council or the Local Government is of opinion that any article of commerce is being unreasonably withheld from the market, the Governor General in Council or the Local Government may, by notification in the Gazette of India or the local official Gazette, as the case may be, make a declaration to that effect.

Power to declare that article of commerce is unreasonably withheld from the market.

(2) The power conferred by sub-section (1) may be exercised in respect of any article of commerce generally or any class of such article or any particular supplies thereof and may be exercised by the Governor General in Council in respect of the whole or any part of British India and by the Local Government in respect of the whole or any part of the province.

(3) Nothing in this Ordinance shall be construed as preventing the authorities mentioned in this section from exercising the power conferred thereby without having first obtained or endeavoured to obtain returns under this Ordinance.

7. On the issue of a notification under section 6, any person empowered by the Governor General in Council or by the Local Government, by general or special order in that behalf, may take possession of any supplies of the article so notified, which may be found within any area to which such notification extends, on paying the owner such compensation as may be determined by agreement between the person so empowered and the owner of such supplies or, in default of agreement, on payment or tender of payment of such compensation as the person so empowered considers reasonable.

Power to take possession of stocks of article unreasonably withheld.

8. (1) If the owner of any supplies taken possession of in accordance with the provisions of section 7 is dissatisfied with the compensation paid or tendered to him in default of agreement, such owner, notwithstanding the fact that he may have accepted payment, may, within fourteen days from the date of such payment or tender of payment, or within such longer period as may be prescribed, appeal to the prescribed authority.

Appeal by owner of supplies.

(2) The prescribed authority shall consist of at least three persons, one of whom at least shall have commercial experience.

(3) The prescribed authority in deciding the appeal shall have regard to all the circumstances of the case, and may either enhance or reduce the compensation determined as reasonable by the person taking possession of the supplies. If such authority enhances the compensation any sum due in accordance with the award shall be paid to the owner of the supplies. If such authority reduces the compensation any excess which the owner of the supplies has received

shall be recoverable from such owner as if it were an arrear of land-revenue.

Rule-making power.

9. (1) The Governor General in Council or the Local Government may make rules for the purpose of carrying into effect the provisions of this Ordinance.

(2) In particular and without prejudice to the generality of the foregoing power such rules may provide for—

(a) the forms in which any return required by this Ordinance shall be submitted ;

(b) subject to the provisions of section 8, sub-section (2), the constitution of an authority for the hearing of appeals under section 8, and the procedure to be followed by such authority and by persons appealing to such authority ; and

(c) any other purpose ancillary to this Ordinance.

(3) All rules made under this section shall have effect as if enacted in this Ordinance.

Barring of jurisdiction of Courts.

10. No Court shall call into question any order or award made under this Ordinance ; and no suit, prosecution or other legal proceeding shall lie against any person for anything which is, in good faith, done or intended to be done under this Ordinance.

HARDINGE OF PENSHURST,

Viceroy and Governor General.

ORDINANCE No. III OF 1915.

[10th November, 1915.]

An Ordinance to extend the powers conferred by the Defence of India (Criminal Law Amendment) Act, 1915.

[*Published in the Gazette of India Extraordinary of the 10th November, 1915.*]

WHEREAS an emergency has arisen which makes it necessary to extend the powers conferred by the Defence of India (Criminal Law Amendment) Act, 1915.

IV of 1915.

Now, therefore, in the exercise of the powers conferred by section 23 of the Indian Councils Act, 1861, the Governor General is pleased to make and promulgate the following Ordinance :—

Short title and extent.

1. (1) This Ordinance may be called the Defence of India Ordinance, 1915.

24 & 25 Vict., c. 67.

(2) It extends to the whole of British India, including British Baluchistan, the Sonthal Parganas and the district of Angul.

IV of 1915.

2. Section 2 of the Defence of India (Criminal Law Extension of Amendment) Act, 1915, shall be construed as if after clause powers. (l) of sub-section (1), the following clauses were inserted, contained in section 2 of Act IV of 1915. namely:—

“(m) to require that there shall be placed, at the disposal of the Governor General in Council, the whole or any part of the output of any factory, workshop, mine or other industrial concern for the manufacture, preparation or extraction of any article or thing which, in his opinion, can be utilised in the prosecution of the present war,

(n) to take possession of, and use for the purpose of the Governor General in Council, any such factory, workshop, mine or industrial concern or any appurtenances or plant thereof,

(o) to require any work in any such factory, workshop, mine or industrial concern to be done in accordance with the directions of the Governor General,

(p) to regulate or restrict the carrying out of work in any such factory, workshop, mine or industrial concern, or to remove the plant therefrom with the object of increasing the output of any other such factory, workshop, mine or industrial concern,

(q) to provide for any other action which may be necessary to regulate the possession, or to facilitate the collection, manufacture, preparation or extraction of any article or thing, which can, in the opinion of the Governor General in Council, be utilised in the prosecution of the present war, and

(r) to regulate the sailings of British steamers from any port in British India, and to reserve, for the use of the Governor General in Council, all or any accommodation of whatever kind for the carriage of persons, animals or goods on any such steamers.”

HARDINGE or FENSHURST,

Viceroy and Governor General.

Part III.

PROCLAMATIONS AND NOTIFICATIONS PUBLISHED IN INDIA RELATING TO OUTBREAK OF WAR.

No. 503, dated the 5th August, 1914.—The following Proclamation by His Excellency the Governor General, dated the 5th August, 1914, is published for general information :—

Home
Department.
Political.

PROCLAMATION.

I, Charles, Baron Hardinge of Penshurst, Governor General of India and *ex-officio* Vice-Admiral therein, being satisfied thereof by information received by me, do hereby proclaim that war has broken out between His Majesty and Germany.

HARDINGE OF PENSHURST.

[See Gazette of India, 1914, Part I, page 1294.]

No. 6-W., dated the 5th August, 1914.—It is hereby notified for general information that war has broken out between His Majesty and Germany.

Foreign and
Political
Department.

[See Gazette of India, 1914, Part I, page 1297.]

No. 666, dated the 13th August, 1914.—The following Proclamation by His Excellency the Governor General, dated the 13th August, 1914, is published for general information :—

Home
Department.
Political.

PROCLAMATION.

I, Charles, Baron Hardinge of Penshurst, Governor General of India and *ex-officio* Vice-Admiral therein, being satisfied thereof by information received by me, do hereby proclaim that war has broken out between His Majesty and Austria-Hungary.

HARDINGE OF PENSHURST.

[See Gazette of India, 1914, Part I, page 1332.]

No. 89-W., dated the 13th August, 1914.—It is hereby notified for general information that war has broken out between His Majesty and Austria-Hungary.

Foreign and
Political
Department.

[See Gazette of India, 1914, Part I, page 1336.]

No. 202-W., dated the 21st August, 1914.—It is hereby notified for general information that the Imperial Government of Japan has declared that a state of war exists between Japan and Germany.

[See Gazette of India, 1914, Part I, page 1377.]

Foreign and
Political
Department.

No. 811-W., dated the 1st November, 1914.—It is hereby notified for general information that war has broken out between His Majesty and Turkey.

[See Gazette of India Extraordinary, dated 1st November, 1914.]

Home &
Department.
Political.

No. 2313, dated the 6th November, 1914.—The following Proclamation by His Excellency the Governor General, dated the 6th November, 1914, is published for general information :—

PROCLAMATION.

I, Charles, Baron Hardinge of Penshurst, Governor General of India and *ex-officio* Vice-Admiral therein, being satisfied thereof by information received by me, do hereby proclaim that war has broken out between His Majesty and Turkey.

HARDINGE OF PENSURST.

[See Gazette of India, 1914, Part I, page 1762.]

Department
of Commerce
and Industry.
Commerce and
Trade.

No. 8414-W., dated the 7th June, 1915.—It is announced for general information that the Admiralty have established a blockade on the Asia Minor Coast from noon of the 3rd June 1915.

The entrance to the Dardenelles and Samos Strait are included in the area which extends from latitude 37 degrees 35 minutes north to 40 degrees 5 minutes north.

[See Gazette of India, 1915, Part I, page 772.]

Foreign and
Political
Department.

No. 2004-W., dated the 16th October, 1915.—It is hereby notified for general information that a state of war exists between His Majesty and Bulgaria.

[See Gazette of India, 1915, Part I, page 1931.]

Home Depart-
ment.
Political.

No. 3531, dated the 18th October, 1915.—The following Proclamation by His Excellency the Governor General, dated the 17th October, 1915, is published for general information :—

PROCLAMATION.

I, Charles, Baron Hardinge of Penshurst, Governor General of India and *ex-officio* Vice-Admiral therein, being satisfied thereof by information received by me, do hereby proclaim that war has broken out between His Majesty and Bulgaria.

HARDINGE OF PENSURST.

[See Gazette of India, 1915, Part I, page 1930.]

Department
of Commerce
and Industry.
Commerce and
Trade.

No. 16050-W., dated the 19th October, 1915.—It is announced for general information that the Admiralty have declared a blockade of the whole of the Bulgarian coast in the Ægean Sea with effect from 6 A.M. of the 16th October 1915. To enable neutral ships to leave the blockaded area two days' grace from the date of declaration were allowed

[See Gazette of India, 1915, Part I, page 1935.]

Part IV.

ROYAL PROCLAMATIONS, ORDERS IN COUNCIL, ETC.

ORDER IN COUNCIL DATED 4TH AUGUST, 1914, RELATING TO "DAYS OF GRACE" TO BE GRANTED TO ENEMY MERCHANT SHIPS.

No. 9-W., dated the 5th August, 1914.—The following order of His Majesty the King in Council which is to take effect from the 4th August, 1914, is published for general information and guidance. of Foreign and
Political
Department.

At the Court of Buckingham Palace, the 4th day of August, 1914

Present:

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

His Majesty being mindful, now that a state of war exists between this country and Germany, of the recognition accorded to the practice of granting "days of grace" to enemy merchant ships by the Convention relative to the Status of Enemy Merchant Ships at the Outbreak of Hostilities, signed at the Hague on the 18th October, 1907, and being desirous of lessening, so far as may be practicable, the injury caused by war to peaceful and unsuspecting commerce, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

1. From and after the publication of this Order no enemy merchant ship shall be allowed to depart, except in accordance with the provisions of this Order, from any British port or from any ports in any Native State in India, or in any of His Majesty's Protectorates, or in any State under His Majesty's protection or in Cyprus.

2. In the event of one of His Majesty's Principal Secretaries of State being satisfied by information reaching him not later than midnight on Friday, the 7th day of August, that the treatment accorded to British merchant ships and their cargoes, which at the date of the outbreak of hostilities were in the ports of the enemy, or which subsequently entered them, is not less favourable than the treatment accorded to enemy merchant ships by Articles 3 to 7 of this Order, he shall notify the Lords Commissioners of His Majesty's Treasury and the Lords Commissioners of the Admiralty accordingly, and public notice thereof shall forthwith be given in the "London Gazette," and Articles 3 to 8 of this Order shall thereupon come into full force and effect.

3.* Subject to the provisions of this Order, enemy merchant ships which—

(i) at the date of the outbreak of hostilities were in any port in which this Order applies ; or

(ii) cleared from their last port before the declaration of war, and, after the outbreak of hostilities, enter a port to which this Order applies, with no knowledge of the war :

shall be allowed up till midnight (Greenwich Mean Time), on Friday, the 14th day of August, for loading or unloading their cargoes and for departing from such port :

Provided that such vessels shall not be allowed to ship any contraband of war, and any contraband of war already shipped on such vessels must be discharged.

4. Enemy merchant ships which cleared from their last port before the declaration of war, and which with no knowledge of the war arrive at a port to which this Order applies after the expiry of the time allowed by Article 3 for loading or unloading cargo and for departing and are permitted to enter, may be required to depart either immediately, or within such time as may be considered necessary by the Customs Officer of the port for the unloading of such cargo as they may be required or specially permitted to discharge :

Provided that such vessels may, as a condition of being allowed to discharge cargo, be required to proceed to any other specified British port, and shall there be allowed such time for discharge as the Customs Officer of that port may consider to be necessary :

Provided also that, if any cargo on board such vessel is contraband of war or is requisitioned under Article 5 of this Order, she may be required before departure to discharge such cargo within such time as the Customs Officer of the port may consider to be necessary, or she may be required to proceed, if necessary under escort, to any other of the ports specified in Article 1 of this Order, and shall there discharge the contraband under the like conditions.

Foreign and
Political
Department.

* No. 129-W., dated the 17th August, 1914.—In pursuance of the Notifications by the Government of India in the Foreign and Political Department, Nos. 9-W. and 111-W.,† dated the 5th and 15th August, 1914, respectively, the Governor General in Council hereby directs that Articles 3 to 8 inclusive, of the Order in Council, relative to the treatment of enemy shipping, shall come into force as regards Austria-Hungary merchant ships only with effect from the 15th day of August, 1914.

The following note to Article 3 of the Order in Council is republished for information :—

Note to Article 3.—Railway standard time for all Ports in India and Burma will be adopted, viz.—

India.—5-30 A.M. succeeding the midnight referred to in Article 3 of the Order in Council.

Burma.—6-30 A.M. succeeding the midnight referred to in Article 3 of the Order in Council.

[See Gazette of India, 1914, Part I, page 1356.]

† Notification No. 111-W., dated 15th August, 1914, has been superseded by Notification No. 399-W., dated 16th September, 1914, see the Proclamation dated 12th August, 1914, *infra*.

5. His Majesty reserves the right recognised by the said Convention to requisition at any time subject to payment of compensation enemy cargo on board any vessel to which Articles 3 and 4 of this Order apply.

6. The privileges accorded by Articles 3 and 4 are not to extend to cable ships, or to sea-going ships designed to carry oil fuel, or to ships whose tonnage exceeds 5,000 tons gross, or whose speed is 14 knots or over, regarding which the entries in Lloyd's Register shall be conclusive for the purposes of this Article. Such vessels will remain liable on adjudication by the Prize Court to detention during the period of the war, or to requisition, in accordance, in either case, with the Convention, aforesaid. The said privileges will also not extend to merchant ships, which show by their build that they are intended for conversion into warships, as such vessels are outside the scope of the said Convention and are liable on adjudication by the Prize Court to condemnation as prize.

7. Enemy merchant ships allowed to depart under Articles 3 and 4 will be provided with a pass indicating the port to which they are to proceed, and the route they are to follow.

8. A merchant ship which after receipt of such a pass, does not follow the course indicated therein will be liable to capture.

9. If no information reaches one of His Majesty's Principal Secretaries of State by the day and hour aforementioned to the effect that the treatment accorded to British merchant ships and their cargoes which were in the ports of the enemy at the date of the outbreak of hostilities, or which subsequently entered them, is, in his opinion, not less favourable than that accorded to enemy merchant ships by Articles 3 to 5 of this Order, every enemy merchant ship which, on the outbreak of hostilities, was in any port to which this Order applies, and also every enemy merchant ship which cleared from its last port before the declaration of war, but which, with no knowledge of the war, enters a port to which this Order applies, shall together with the cargo on board thereof, be liable to capture, and shall be brought before the Prize Court forthwith for adjudication.

10. In the event of information reaching one of His Majesty's Principal Secretaries of State that British merchant ships which cleared from their last port before the declaration of war, but are met with by the enemy at sea after the outbreak of hostilities, are allowed to continue their voyage without interference with either the ship or the cargo, or after capture are released with or without proceedings for adjudication in the Prize Court, or are to be detained during the war or requisitioned in lieu of condemnation as prize, he shall notify the Lords Commissioners of the Admiralty accordingly, and shall publish a notification thereof in the "London Gazette," and in that event, but not otherwise, enemy merchant ships which cleared from their last port before the declaration of war, and are captured after the outbreak of hostilities and brought before the Prize Courts for adjudication, shall be released or detained or requisitioned in such cases and upon such terms as may be directed in the said notification in the "London Gazette."

11. Neutral cargo, other than contraband of war on board an enemy merchant ship which is not allowed to depart from a port to which this Order applies, shall be released.

12. In accordance with the provisions of Chapter III of the Convention relative to certain Restrictions on the Exercise of the Right of Capture in Maritime War, signed at the Hague on the 18th October, 1907, an undertaking must, whether the merchant ship is allowed to depart or not, be given in writing by each of the officers and members of the crew of such vessel, who is of enemy nationality, that he will not, after the conclusion of the voyage for which the pass is issued, engage while hostilities last in any service connected with the operation of the war. If any such officer is of neutral nationality, an undertaking must be given in writing that he will not serve, after the conclusion of the voyage for which the pass is issued, on any enemy ship while hostilities last. No undertaking is to be required from members of the crew who are of neutral nationality.

Officers or members of the crew declining to give the undertakings required by this Article will be detained as prisoners of war.

And the Lords Commissioners of His Majesty's Treasury, the Lords Commissioners of the Admiralty, and each of His Majesty's Principal Secretaries of State, and all Governors, Officers, and Authorities whom it may concern are to give the necessary directions herein as to them may respectively appertain.

[See Gazette of India, 1914, Part I, page 1297.]

PROCLAMATION DATED 5TH AUGUST, 1914, PROHIBITING FINANCIAL AND OTHER DEALINGS WITH THE GERMAN GOVERNMENT.

No. 1160-F., dated the 7th August, 1914.—The following Royal Proclamation is published for general information:—

Finance
Department.
Accounts and
Finance,
Miscellaneous.

BY THE KING.

A Proclamation.

WHEREAS a state of war exists between Us and the German Emperor;

And whereas it constitutes adherence to Our enemies for any of Our subjects or persons resident or being in Our Dominions during the continuance of the state of war to contribute to or participate in or assist in the floating of any loan by the Government of the said Emperor or to advance money to or enter into any contract or dealings whatsoever with the said Emperor or his Government (save upon Our command), or otherwise to aid, abet, or assist the said Government;

Now, therefore, We do hereby warn all Our subjects and all persons resident or being in Our Dominions who may be found doing or attempting any of such treasonable acts as aforesaid that they will be liable to be apprehended and dealt with as traitors, and will be proceeded against with the utmost rigour of the law.

Given at Our Court at Buckingham Palace this fifth day of August in the year of Our Lord, one thousand nine hundred and fourteen, and in the fifth year of Our Reign.

GOD SAVE THE KING.

[See Gazette of India, 1914, Part I, page 1337.]

PROCLAMATION DATED 5TH AUGUST, 1914, PROHIBITING
BRITISH VESSELS FROM CARRYING CONTRABAND
FROM ONE FOREIGN PORT TO ANOTHER.

No. 7988, dated the 24th August, 1914.—The following Royal Proclamation prohibiting British vessels from carrying contraband from one foreign port to any other foreign port is published for general information :—

Department
of Commerce
and Industry.
Merchant
Shipping.

By the subsequent Proclamation* republished in Government of India, Foreign and Political Department Notification No. 111-W., dated Simla, the 15th August, 1914, it was declared that the words "enemy country" shall be deemed as from the twelfth day of August in the year of Our Lord one thousand nine hundred and fourteen to include the Dual Monarchy of Austria-Hungary.

BY THE KING.

A Proclamation.

George, R. I.

WHEREAS a state of war exists between Us on the one hand and the German Empire on the other ;

And whereas We have by Proclamation warned all persons resident, carrying on business, or being in Our Dominions, that it is contrary to law for them to have any commercial intercourse with any person resident, carrying on business, or being in the said Empire, or to trade in or carry any goods, wares or merchandise destined for or coming from the said Empire, or for or from any person resident, carrying on business, or being therein ;

Now We do hereby further warn all Our subjects that conformably with that prohibition it is forbidden to carry in British vessels, from any foreign port to any other foreign port, any article comprised in the list of contraband of war issued by Us, unless the shipowner shall have first satisfied himself that the articles are not intended ultimately for use in the enemy country. Any British vessel acting in contravention of this Proclamation will be liable to capture by Our naval forces and to be taken before Our Prize Courts for adjudication, and any of Our subjects acting in contravention of this Proclamation will be liable to such penalties as the law prescribes.

Given at Our Court at Buckingham Palace this fifth day of August in the year of Our Lord, one thousand nine hundred and fourteen and in the fifth year of Our Reign.

GOD SAVE THE KING.

[See Gazette of India, 1914, Part I, page 1381.]

* This was superseded by the Proclamation dated 12th August, 1914, *infra*.

PROCLAMATION DATED 12TH AUGUST, 1914, RELATING
TO AUSTRIA-HUNGARY.

Foreign and
Political
Department.

No. 399-W., dated the 16th September, 1914.—In supersession of the Notification in this Department, No. 111-W., dated the 15th August 1914, the following Royal Proclamation is published for general information :—

BY THE KING.

A Proclamation extending the scope of certain existing Proclamations and a certain Order in Council connected with the War.

George. R. I.

WHEREAS on the fourth day of August, one thousand nine hundred and fourteen, a state of war came into existence between Us on the one hand and the German Empire on the other :

And whereas We did on the same date and on the fifth day of August, one thousand nine hundred and fourteen, issue certain Proclamations and Orders in Council connected with such state of war :

And whereas a state of war now exists between Us on the one hand and the Dual Monarchy of Austria-Hungary on the other :

And whereas it is therefore desirable to extend the scope of certain of the Proclamations and Orders in Council aforesaid :

Now, therefore, We have thought fit by and with the advice of Our Privy Council to issue this Our Royal Proclamation declaring and it is hereby declared as follows :—

1. The Proclamation warning all Our subjects and all persons resident or being in Our Dominions from contributing to or participating in or assisting in the floating of any loan raised on behalf of the German Government, or from advancing money to or entering into any contract or dealings whatsoever with the said Government, or otherwise aiding, abetting, or assisting the said Government, shall be deemed as from this date to apply to all loans raised on behalf of, or contracts or dealings entered into with, or to aiding, abetting, or assisting the Austro-Hungarian Government.

2. The Proclamation on Trading with the Enemy shall be deemed as from this date to prohibit with the Dual Monarchy of Austria-Hungary all commercial intercourse, which under the said Proclamation is prohibited with the German Empire, and for this purpose such Proclamation shall be read as if throughout the operative portion thereof, the words " either the German Empire or the Dual Monarchy of Austria-Hungary " were substituted for the words " the German Empire."

3. (1) In the Order in Council issued with reference to the departure from Our Ports of enemy vessels, which at the outbreak of hostilities were in any such Port or which subsequently entered the same, the word " enemy," as applied to either ships or cargo, shall be deemed as from this date to include Austro-Hungarian ships or cargo.

¹ Paragraph 2 has been revoked by paragraph 1 of the Trading with the Enemy Proclamation, No. 2, dated 9th September, 1914, *infra*.

(2) In the application of this Article to Austro-Hungarian ships the date Saturday, the fifteenth day of August, shall be substituted for the date mentioned in Article 2 of the said Order in Council, and the date Saturday, the twenty-second day of August, shall be substituted for the date mentioned in Article 3 of the said Order in Council.

4. The Proclamation specifying the Articles which it is Our intention to treat as Contraband of War during the war with Germany shall be deemed to specify the Articles which it is Our intention to treat as Contraband of War during the war with Austria-Hungary.

5. In the Proclamation forbidding the carriage in British vessels from any Foreign Port to any other Foreign Port of any article comprised in the list of Contraband of War issued by Us, unless the ship-owner shall have first satisfied himself that the articles are not intended ultimately for use in the enemy country, the words "enemy country" shall be deemed as from this date to include the Dual Monarchy of Austria-Hungary.

Given at Our Court at Buckingham Palace this twelfth day of August in the year of Our Lord, one thousand nine hundred and fourteen, and in the fifth year of Our Reign.

GOD SAVE THE KING.

[See Gazette of India, 1914, Part I, page 1433.]

ROYAL WARRANT DATED 13TH AUGUST, 1914, WITHDRAWING EXEQUATURS GRANTED TO GERMAN OR AUSTRO-HUNGARIAN SUBJECTS AS CONSULAR REPRESENTATIVES.

No. 553-W., dated the 28th September, 1914.—The following Notice issued by His Majesty's Principal Secretary of State for Foreign Affairs, at page 6683 of the "London Gazette," dated the 25th August, 1914, is republished for information :—

Foreign and
Political
Department.

George, R. I.

GEORGE by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India, etc., etc., etc. To all to whom these Presents shall come, Greeting!

WHEREAS We, and also Her late Majesty Queen Victoria of Happy Memory, and His late Majesty King Edward the Seventh of Happy Memory, have from time to time, by the Grant of Exequaturs, or otherwise, recognized and approved divers persons, being subjects of the German Empire or of the Dual Monarchy of Austria-Hungary, as Consular Representatives of other foreign Powers within Our Dominions or Protectorates, or within places subject to Our occupation or control;

And whereas a state of war exists between Us and the German Empire, and also between Us and the Dual Monarchy of Austria-Hungary;

And whereas, for divers good causes and considerations Us thereunto moving, We have deemed it expedient no longer to recognise any such persons as such Consular Representatives as aforesaid, and further to withdraw all the Exequaturs heretofore granted to any of such persons :

Now know ye that We do hereby declare, order, and direct that any person, being a subject of the German Empire or of the Dual Monarchy of Austria-Hungary, and now being a Consular Representative of any other foreign Power within Our Dominions or Protectorates, or within places subject to Our occupation or control, shall henceforth no longer be recognised as such Consular Representative, or permitted to perform any duties, or act in any respect as such Consular Representative within Our Dominions or Protectorates, or within places subject to Our occupation or control, and that We do hereby withdraw accordingly all and singular the Exequaturs and Exequatur heretofore granted to any of such persons.

Given at Our Court of *St. James* the 13th day of *August*, in the year of Our Lord, one thousand nine hundred and fourteen, and in the fifth year of Our Reign.

By His Majesty's Command,

E. GREY.

[See Gazette of India, 1914, Part I, page 1564.]

THE TRADING WITH THE ENEMY PROCLAMATION, No. 2, DATED 9TH SEPTEMBER, 1914.

Department
of Commerce
and Industry.
Commerce and
Trade.

No. 419-W., dated the 31st October, 1914.—In supersession of the Notification in this Department No. 9507-Commerce and Trade, dated the 12th September, 1914, the following Royal Proclamation is published for general information :—

By THE KING.

A* Proclamation relating to Trading with the Enemy.¹

George, R. I.

WHEREAS a state of war has existed between Us and the German Empire as from 11 P.M. on August 4th, 1914, and a state of war has existed between Us and the Dual Monarchy of Austria-Hungary as from midnight on August 12th, 1914 :

And whereas it is contrary to law for any person resident, carrying on business or being in Our Dominions, to trade or have any commercial or financial transactions with any person resident or carrying on business in the German Empire or Austria-Hungary without Our permission :

And whereas by our Proclamation of the 5th August, 1914, relating to trading with the Enemy, certain classes of transactions with the German Empire were prohibited :

* For extension to persons of enemy nationality residing in China, Siam, Persia or Morocco, see the Trading with the Enemy (China, Siam, Persia and Morocco) Proclamation 1915, dated 25th June, 1915, *infra*.

¹ For interpretation of the word "Enemy" see the Proclamation relating to Trading with the Enemy, dated 14th September, 1915, *infra*.

And whereas by paragraph 2 of Our Proclamation of the 12th August, 1914, the said Proclamation of the 5th August, 1914, was declared to be applicable to Austria-Hungary :

And whereas it is desirable to restate and extend the prohibitions contained in the former Proclamations, and for that purpose to revoke the Proclamation of the 5th August, 1914, and paragraph 2 of the Proclamation of the 12th August, 1914, and to substitute this Proclamation therefor :

And whereas it is expedient and necessary to warn all persons resident, carrying on business or being in Our Dominions of their duties and obligations towards Us, Our Crown, and Government :

Now, therefore, We have thought fit, by and with the advice of Our Privy Council, to issue this Our Royal Proclamation declaring and it is hereby declared as follows :—

1. The aforesaid Proclamation of the 5th August, 1914, relating to trading with the Enemy, and paragraph 2 of the aforesaid Proclamation of the 12th August, 1914, together with any public announcement officially issued in explanation thereof, are hereby, as from the date hereof, revoked, and from and after the date hereof, this present Proclamation is substituted therefor.

2. The expression “enemy country” in this Proclamation means the territories of the German Empire and of the Dual Monarchy of Austria-Hungary, together with all the colonies and dependencies thereof.

*3. The expression “enemy” in this Proclamation means any person or body of persons of whatever nationality resident or carrying on business in the enemy country, but does not include persons of enemy nationality who are neither resident nor carrying on business in the enemy country. In the case of incorporated bodies, enemy character attaches only to those incorporated in an enemy country.

4. The expression “outbreak of war” in this Proclamation means 11 p.m. on the 4th August, 1914, in relation to the German Empire, its colonies and dependencies, and midnight on the 12th August, 1914, in relation to Austria-Hungary, its colonies and dependencies.

5. From and after the date of this Proclamation the following prohibitions shall have effect (save so far as licences may be issued as hereinafter provided), and We do hereby accordingly warn all persons resident, carrying on business or being in Our Dominions—

- (1) Not to pay any sum of money to or for the benefit of an enemy.†
- (2) Not to compromise or give security for the payment of any debt or other sum of money with or for the benefit of an enemy.
- (3) Not to act on behalf of an enemy in drawing, accepting, paying, presenting for acceptance or payment, negotiating or otherwise dealing with any negotiable instrument.

*For interpretation of the word “Enemy” see the Proclamation relating to Trading with the Enemy dated 14th September, 1915, *infra*.

† See, however, Notification in the Department of Commerce and Industry, No. 1428-W., dated the 12th December, 1914 (Part VII).

- (4) Not to accept, pay, or otherwise deal with any negotiable instrument which is held by or on behalf of an enemy, provided that this prohibition shall not be deemed to be infringed by any person who has no reasonable ground for believing that the instrument is held by or on behalf of an enemy.
- (5) Not to enter into any new transaction, or complete any transaction already entered into with an enemy in any stocks, shares, or other securities.
- * (6) Not to make or enter into any new marine, life, fire or other policy or contract of insurance (including re-insurance) with or for the benefit of an enemy; nor to accept, or give effect to any insurance of, any risk arising under any policy or contract of insurance (including re-insurance) made or entered into with or for the benefit of an enemy before the outbreak of war; and in particular as regards Treaties or Contracts of re-insurance current at the outbreak of war to which an enemy is a party or in which an enemy is interested not to cede to the enemy or to accept from the enemy under any such Treaty or Contract any risk arising under any policy or contract of insurance (including re-insurance) made or entered into after the outbreak of war, or any share in any such risk.
- (7) Not directly or indirectly to supply to or for the use or benefit of, or obtain from, an enemy country or an enemy any goods, wares or merchandise, nor directly or indirectly to supply to or for the use or benefit of, or obtain from any person any goods, wares or merchandise, for or by way of transmission to or from an enemy country or an enemy, nor directly or indirectly to trade in or carry any goods, wares or merchandise destined for or coming from an enemy country or an enemy.
- (8) Not to permit any British ship to leave for, enter or communicate with, any port or place in an enemy country.
- (9) Not to enter into any commercial, financial or other contract or obligation with or for the benefit of an enemy.
- (10) Not to enter into any transactions with an enemy if and when they are prohibited by an [†Order of Council made and published on the recommendation of a Secretary of State], even though they would otherwise be permitted by law or by this or any other Proclamation.

And We do hereby further warn all persons that whoever in contravention of the law shall commit, aid, or abet any of the aforesaid acts, is guilty of a crime and will be liable to punishment and penalties accordingly.

* This has been substituted for the original clause (6) by Proclamation, dated the 8th October, 1914, relating to Trading with the Enemy, *infra*.

† For interpretation of these words in clause (10), see clause 2 (1), *ibid*.

6. Provided always that where an enemy has a branch locally situated in British, allied, or neutral territory, not being neutral territory in Europe, transactions by or with such branch shall not be treated as transactions by or with an enemy.

7. Nothing in this Proclamation shall be deemed to prohibit payments by or on account of enemies to persons resident carrying on business or being in Our Dominions, if such payments arise out of transactions entered into before the outbreak of war or otherwise permitted.

* 8. Nothing in this Proclamation shall be taken to prohibit anything which shall be expressly permitted by Our licence, or by the licence given on Our behalf by a Secretary of State, or the Board of Trade, whether such licences be especially granted to individuals or be announced as applying to classes of persons.

9. This Proclamation shall be called the Trading with the Enemy Proclamation, No. 2.

Given at Our Court at Buckingham Palace, this ninth day of September, in the year of Our Lord, one thousand nine hundred and fourteen, and in the fifth year of Our Reign.

GOD SAVE THE KING.

[See Gazette of India, 1914, Part I, page 1743.]

PROCLAMATION RELATING TO TRADING WITH THE ENEMY, DATED 8TH OCTOBER 1914.

No. 556-W., dated the 7th November, 1914.—In modification of the notification in this Department No. 419-W.—Commerce and Trade, dated 31st October, 1914, the following Royal Proclamation is republished for general information :—

Department
of Commerce
and Industry.
Commerce and
Trade.

BY THE KING.

A Proclamation† relating to Trading with the Enemy.¹

George, R. I.

WHEREAS it is desirable to amend Our Proclamation of the 9th September, 1914, called "The Trading with the Enemy Proclamation, No. 2";

* For extension of paragraph 8, see clause 3 of the Proclamation relating to Trading with the Enemy, dated 8th October, 1914, *infra*.

† For extension to persons of enemy nationality residing in China, Siam, Persia, or Morocco, see the Trading with the Enemy (China, Siam, Persia and Morocco) Proclamation, 1915, dated 25th June 1915, *infra*.

¹ For interpretation of the word "Enemy," see the Proclamation relating to Trading with the Enemy, dated 14th September, 1914, *infra*.

Now, therefore, We have thought fit, by and with the advice of Our Privy Council, to issue this Our Royal Proclamation declaring and it is hereby declared as follows :—

1. Paragraph 5, heading (6), of the Trading with the Enemy Proclamation, No. 2, is hereby revoked and in lieu thereof the following heading shall be inserted in the said paragraph 5 as from the date hereof :—

“(6) Not to make or enter into any new marine, life, fire or other policy or contract of insurance (including re-insurance) with or for the benefit of an enemy ; nor to accept, or give effect to any insurance of, any risk arising under any policy or contract of insurance (including re-insurance) made or entered into with or for the benefit of an enemy before the outbreak of war ; and in particular as regards Treaties or Contracts of re-insurance current at the outbreak of war to which an enemy is a party or in which an enemy is interested not to cede to the enemy or to accept from the enemy under any such Treaty or Contract any risk arising under any policy or contract of insurance (including re-insurance) made or entered into after the outbreak of war, or any share in any such risk.”

2. (1) The expression “ Order of Council made and published on the recommendation of a Secretary of State ” in paragraph 5, heading (10), of the Trading with the Enemy Proclamation, No. 2, shall, as regards persons resident carrying on business or being in Our Dominions beyond the Seas, be taken to mean an Order of the Governor in Council published in the Official Gazette.

(2) The expression “ Governor in Council ” in this paragraph means as respects Canada the Governor General of Canada in Council, as respects India the Governor General of India in Council, as respects Australia the Governor General of Australia in Council, as respects New Zealand the Governor of New Zealand in Council, as respects the Union of South Africa the Governor General of the Union of South Africa in Council, as respects Newfoundland the Governor of Newfoundland in Council, and as respects any other British Possession the Governor of that Possession in Council.

* 3. The power to grant licences on Our behalf vested by paragraph 8 of the Trading with the Enemy Proclamation, No. 2, in a Secretary of State may be exercised in Canada, India, Australia and the Union of South Africa by the Governor General, and in any British Possession not included within the limits of Canada, India, Australia or South Africa by the Governor.

4. In this Proclamation the expression “ Governor General ” includes any person who for the time being has the powers of the Governor General, and the expression “ Governor ” includes the Officer for the time being administering the Government.

* For notifications granting licenses under paragraph 3—See Commerce and Industry Department Notifications Nos. 1428-W., dated 12th December, 1914, and 149, dated 9th January, 1915 (Part VII).

5. Notwithstanding anything contained in paragraph 6 of the Trading with the Enemy Proclamation, No 2, where an enemy has a branch locally situated in British, allied, or neutral territory, which carries on the business of insurance or re-insurance of whatever nature, transactions by or with such branch in respect of the business of insurance or re-insurance shall be considered as transactions by or with an enemy.

6. This Proclamation shall be read as one with the Trading with the Enemy Proclamation, No. 2.

Given at Our Court at Buckingham Palace, this eighth day of October, in the year of Our Lord, one thousand nine hundred and fourteen, and in the fifth year of Our Reign.

GOD SAVE THE KING.

[See Gazette of India, 1914, Part I, page 1768.]

PROCLAMATION DATED 5TH NOVEMBER, 1914, RELATING
TO TURKEY.

No. 843-W., dated the 8th November, 1914.—The following Royal Proclamation is republished for general information and guidance :—

Foreign and
Political
Department.

"The London Gazette," Thursday, 5th November, 1914.

BY THE KING.

A Proclamation extending to the war with Turkey the Proclamations and Orders in Council now in force relating to the war.

George, R. I.

WHEREAS owing to hostile acts committed by Turkish Forces under German Officers, a state of war now exists between Us and the Sultan of Turkey :

And whereas on the 4th day of August, 1914, a state of war came into existence between Us and the German Emperor :

And whereas We did on the same date and on certain other dates subsequent thereto issue certain Proclamations and Orders in Council connected with such state of war :

And whereas on the 12th day of August, 1914, a state of war came into existence between Us and the Emperor of Austria, King of Hungary :

And whereas certain of the aforesaid Proclamations and Orders in Council have since been extended so as to cover the state of war between Us and the Emperor of Austria, King of Hungary :

And whereas it is desirable now to provide for the state of war between Us and the Sultan of Turkey :

And whereas the Convention relating to the status of enemy merchant vessels at the outbreak of hostilities, signed at the Hague on the 18th October, 1907, has not been ratified by the Sultan of Turkey, and therefore We do not think fit to extend to Turkish ships the Order in Council issued on the 4th day of August, 1914, with reference to the departure from Our ports of enemy vessels, which at the outbreak of hostilities were in any such port or which subsequently entered the same :

Now, therefore, We have thought fit, by and with the advice of our Privy Council, to issue this Our Royal Proclamation declaring, and it is hereby declared, as follows :—

1. The Proclamations and Orders in Council issued with reference to the state of war between Us and the German Emperor, or with reference to the state of war between Us and the German Emperor and the Emperor of Austria, King of Hungary, other than the Order in Council issued on the 4th August, 1914, with reference to the departure from Our ports of enemy vessels, which at the outbreak of hostilities were in any such port, or which subsequently entered the same, shall, if still in force, apply to the state of war between Us and the Sultan of Turkey as from this 5th day of November, 1914.
2. The Proclamation issued on the 5th day of August, 1914, warning all Our subjects, and all persons resident or being in Our dominions, from contributing to or participating in, or assisting in the floating of, any loan raised on behalf of the German Government, or from advancing money to or entering into any contract or dealings whatsoever with the said Government, or otherwise aiding, abetting, or assisting the said Government, shall be deemed as from this 5th day of November, 1914, to apply to all loans raised on behalf of, or contracts or dealings entered into with, or to aiding, abetting, or assisting the Ottoman Government.
3. The words "enemy country" in any of the Proclamations or Orders in Council referred to in Article 1 of this Proclamation shall include the Dominions of His Imperial Majesty the Sultan of Turkey other than Egypt, Cyprus, and any territory in the occupation of Us or Our Allies.

Given at Our Court at Buckingham Palace, this fifth day of November, in the year of Our Lord, one thousand nine hundred and fourteen, and in the fifth year of Our Reign.

GOD SAVE THE KING.

[See Gazette of India, 1914, Part I, page 1910.]

THE DECLARATION OF LONDON ORDER IN COUNCIL

No. 2, 1914, DATED 29TH OCTOBER 1914.

No. 1203-W., dated the 28th November, 1914.—In supersession of the Notification in this Department, No. 9848, dated the 19th September, 1914, the following "Order in Council" is published for general information:—

Department
of Commerce
and Industry.
Merchant
Shipping.

At the Court at Buckingham Palace, the 29th day of October, 1914.

Present.

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Order in Council dated the 20th day of August, 1914, His Majesty was pleased to declare that during the present hostilities the Convention known as the Declaration of London* should, subject to certain additions and modifications therein specified, be adopted and put in force by His Majesty's Government; and

Whereas the said additions and modifications were rendered necessary by the special conditions of the present war; and

Whereas it is desirable and possible now to re-enact the said Order in Council with amendments in order to minimise, so far as possible, the interference with innocent neutral trade occasioned by the war:

Now, therefore, His Majesty, by and with the advice of His Privy Council, is pleased to order, and it is hereby ordered, as follows:—

1. During the present hostilities the provisions of the Convention known as the Declaration of London shall, subject to the exclusion of the lists of contraband and non-contraband, and to the modifications hereinafter set out, be adopted and put in force by His Majesty's Government.

The modifications are as follows:—

- (i) A neutral vessel, with papers indicating a neutral destination, which, notwithstanding the destination shown on the papers, proceeds to an enemy port, shall be liable to capture and condemnation if she is encountered before the end of her next voyage.
- (ii) The destination referred to in Article 33 of the said Declaration shall (in addition to the presumptions laid down in Article 34) be presumed to exist if the goods are consigned to or for an agent of the enemy State.
- (iii) Notwithstanding the provisions of Article 35 of the said Declaration, conditional contraband shall be liable to capture on board a vessel bound for a neutral port if the goods are consigned "to order", or if the ship's papers do not show who is the consignee of the goods or if they show a consignee of the goods in territory belonging to or occupied by the enemy.

* The Declaration of London has been published separately in pamphlet form.

- (iv) In the cases covered by the preceding paragraph (iii) it shall lie upon the owners of the goods to prove that their destination was innocent.

2. Where it is shown to the satisfaction of one of His Majesty's Principal Secretaries of State that the enemy Government is drawing supplies for its armed forces from or through a neutral country, he may direct that in respect of ships bound for a port in that country, Article 35 of the said Declaration shall not apply. Such direction shall be notified in the "London Gazette" and shall operate until the same is withdrawn. So long as such direction is in force, a vessel which is carrying conditional contraband to a port in that country shall not be immune from capture.

3. The Order in Council of the 20th August, 1914, directing the adoption and enforcement during the present hostilities of the Convention known as the Declaration of London, subject to the additions and modifications therein specified, is hereby repealed.

4. This Order may be cited as "the Declaration of London Order in Council No. 2, 1914."

And the Lords Commissioners of His Majesty's Treasury, the Lord Commissioners of the Admiralty, and each of His Majesty's Principal Secretaries of State, the President of the Probate, Divorce, and Admiralty Division of the High Court of Justice, all other Judges of His Majesty's Prize Courts, and all Governors, Officers and Authorities whom it may concern, are to give the necessary directions herein as to them may respectively appertain.

ALMERIC FITZROY.

[See Gazette of India, 1914, Part I, page 1957.]

PROCLAMATION DATED 26TH OCTOBER, 1914, RELATING TO TRADING WITH THE ENEMY.

Department
of Commerce
and Industry

No. 1682-W., dated the 12th December, 1914.—In supersession of the Notification in this Department, No. 420-W.—Commerce and Trade, dated the 31st October, 1914, the following Royal Proclamation is published for general information :—

BY THE KING.

A Proclamation extending the Prohibitions contained in the Proclamation of the 9th September, 1914, relating to Trading with the Enemy.

George, R. I.

WHEREAS by Our Proclamation, dated the 9th day of September 1914, called the Trading with the Enemy Proclamation, No. 2, certain

prohibitions, as therein more specifically set forth, were imposed upon all persons therein referred to :

And whereas by Our Proclamation, dated the 30th day of September, 1914, the prohibitions contained in the Trading with the Enemy Proclamation, No. 2, were extended, and the importation of sugar was prohibited as therein more specifically set forth :

And whereas, by Our Proclamation, dated the 8th day of October, 1914, Our Proclamation of the 9th September, 1914, called the Trading with the Enemy Proclamation, No. 2, was amended as therein more specifically set forth :

And whereas it is desirable to revoke Our Proclamation dated the 30th day of September, 1914 :

Now, therefore, We have thought fit, by and with the advice of Our Privy Council, to issue this Our Royal Proclamation declaring, and it is hereby declared, as follows :—

1. The aforesaid Proclamation of the 30th day of September is hereby as from the date hereof revoked, and from and after the date hereof this present Proclamation is substituted therefor.

2. The importation into the United Kingdom of all sugar is hereby prohibited, provided that the foregoing prohibition shall not extend to sugar (not being raw or refined sugar made or produced by an enemy or in an enemy country, or refined sugar made or produced from raw sugar made or produced by an enemy or in an enemy country) —

(a) cleared from the port of shipment to this country on or before the 26th October, 1914 ;

(b) imported under contract made prior to the 4th August, 1914.

3. Nothing in this Proclamation shall be taken to prohibit anything which shall be expressly permitted by Our licence, or by the licence given on Our behalf by a Secretary of State or the Board of Trade, whether such licence be granted especially to individuals or be announced as applying to classes of persons.

4. The words "enemy" and "enemy country" and "person" shall have the same meaning in this Our Proclamation as in Our said Proclamation of the 9th day of September 1914.

Given at Our Court at Buckingham Palace, this twenty-sixth day of October, in the year of Our Lord, one thousand nine hundred and fourteen, and in the fifth year of Our Reign.

GOD SAVE THE KING.

THE TRADING WITH THE ENEMY (OCCUPIED TERRITORY)
PROCLAMATION, 1915, DATED 16TH FEBRUARY, 1915.

Department
of Commerce
and Industry.

No. 2987-W., dated the 27th March, 1915.—The following Royal Proclamation is published for general information :—

BY THE KING.

A Proclamation* relating to Trading with the Enemy¹
(Occupied Territory).

George, R. I.

WHEREAS, as a result of the present war, certain territory forming part of the territory of an enemy country, is or may be in the effective military occupation of Us or Our Allies, or of a Neutral State (in this Proclamation referred to as "territory in friendly occupation"), and certain territory forming part of Our territory or of that of an allied or neutral State, is or may be in the effective military occupation of an enemy (in this Proclamation referred to as "territory in hostile occupation") ;

And whereas it is expedient in Our interest and in that of Our Allies that the Proclamations relating to trading with the enemy should apply to territory in friendly occupation as they apply to Our territory or that of Our Allies, and should apply to territory in hostile occupation as they apply to an enemy country :

Now, therefore, We have thought fit, by and with the advice of Our Privy Council, to issue this Our Royal Proclamation declaring, and it is hereby declared, as follows :—

1. The Proclamation for the time being in force relating to trading with the enemy shall apply to territory in friendly occupation as they apply to Our territory or that of Our Allies, and to territory in hostile occupation as they apply to an enemy country.

2. Any references to the outbreak of the war in any Proclamation so applied shall, as respects territory in friendly or hostile occupation, be construed as references to the time at which the territory so became in friendly or hostile occupation.

3. The certificate of any person authorised by a Secretary of State to give such certificates that any territory is in friendly or hostile occupation within the meaning of this Proclamation, or as to the time at which any territory so became or ceased to be territory in friendly or hostile occupation, shall, for the purposes of this Proclamation, be final and conclusive.

4. Nothing in this Proclamation shall be taken to prohibit anything which may be expressly permitted by Our licence or by a licence given

* For extension of this Proclamation to persons of enemy nationality residing in China, Siam, Persia or Morocco, see the Trading with the Enemy (China, Siam, Persia and Morocco) Proclamation, 1915, *infra*.

¹ For interpretation of the word "Enemy," see the Proclamation relating to Trading with the Enemy, dated 14th September 1915, *infra*.

on Our behalf by a Secretary of State, or the Board of Trade, or the Lords Commissioners of Our Treasury, whether such licences be specially granted to individuals or be announced as applying to classes of persons, or to prohibit any special arrangements which may be made by any such licence or otherwise, with Our authority for special treatment of any occupied territory or persons in any such occupied territory entitled to such special treatment.

5. This Proclamation shall be called the Trading with the Enemy (Occupied Territory) Proclamation, 1915.

Given at Our Court at Buckingham Palace, this sixteenth day of February, in the year of our Lord, one thousand nine hundred and fifteen and in the fifth year of Our Reign.

GOD SAVE THE KING.

[See Gazette of India, 1915, Part I, page 479.]

ORDER IN COUNCIL DATED 3RD FEBRUARY, 1915, AUTHORISING PRIZE COURT PROCEEDINGS IN REGARD TO TURKISH SHIPS, VESSELS AND GOODS.

No. 16, dated the 3rd April, 1915.—The following extract from the *Legislative* London Gazette of Friday, 5th February, 1915, is republished for *Department.* general information :—

At the Court at Buckingham Palace, the 3rd day of February, 1915.

Present.

The KING's Most Excellent Majesty in Council.

WHEREAS a state of war now exists between this Country and His Imperial Majesty the Sultan of Turkey, so that His Majesty's Fleets and Ships may lawfully seize all ships, vessels, and goods belonging to the said Sultan or the Ottoman Government or the Citizens and Subjects thereof, or other persons inhabiting within any of the countries, territories, or dominions of the said Sultan, and bring the same to judgment in such Courts of Law within His Majesty's Dominions, Possessions, or Colonies, or elsewhere as shall be duly commissioned to take cognizance thereof :

His Majesty is therefore pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, that a Commission in the form of the draft annexed hereto shall issue under the Great Seal of the United Kingdom, authorizing the Commissioners for executing the Office of Lord High Admiral to will and require His Majesty's High Court of Justice and the Judges thereof, and His Britannic Majesty's Prize Court in Egypt, His Britannic Majesty's Court for Zanzibar in Zanzibar, and the Supreme Court of Cyprus in Cyprus, and all the Judges of those Courts or other the persons or person executing the duties of the Office of Judge for the time being, to take cognizance of and judicially

proceed upon all and all manner of captures, seizures, prizes and reprisals of all ships, vessels, and goods that are or shall be taken, and to hear and determine the same, and according to the course of Admiralty and the Law of Nations, and the Statutes, Rules, and Regulations for the time being in force in that behalf, to adjudge and condemn all such ships, vessels, and goods as shall belong to the Sultan of Turkey or the Ottoman Government or to the Citizens or Subjects thereof, or to any other persons inhabiting within any of the countries, territories, or dominions of the said Sultan or be otherwise condemnable as Prize.

ALMERIC FITZROY.

GEORGE THE FIFTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India, to Our right trusty and well-beloved The Right Honourable Winston Leonard Spencer Churchill, M.P., Admiral of the Fleet, John Arbuthnot, Lord Fisher of Kilverstone, G.C.B., O.M., G.C.V.O., Vice-Admiral Sir Frederick Tower Hamilton, K.C.B., C.V.O., Rear-Admiral Frederick Charles Tudor Tudor, C.B., Commodore Cecil Foley Lambert, R.N., The Right Honourable George Lambert, M.P., and the Right Honourable Sir Francis John Stephens Hopwood, G.C.M.G., K.C.B., Our Commissioners for executing the Office of Lord High Admiral of Our United Kingdom of Great Britain and Ireland and the Dominions thereunto belonging, and to Our Commissioners for executing that office for the time being, Greeting :

Whereas a state of war now exists between this Country and His Imperial Majesty the Sultan of Turkey so that Our Fleets and Ships may lawfully seize all ships, vessels, and goods belonging to the said Sultan or the Ottoman Government or the Citizens and Subjects thereof, or other persons inhabiting within any of the countries, territories, or dominions of the said Sultan, and bring the same to judgment in such Courts of Admiralty within Our Dominions, Possessions, or Colonies, or elsewhere as shall be duly commissioned to take cognizance thereof.

These are therefore to authorize and We do hereby authorize and enjoin you, Our said Commissioners, now and for the time being, or any two or more of you to will and require Our High Court of Justice and the Judges thereof, and Our Prize Court in Egypt, Our Court for Zanzibar in Zanzibar, and Our Supreme Court of Cyprus in Cyprus, and all the Judges of those Courts or other persons or person executing the duties of the Office of Judge for the time being, and the said High Court and other the said Courts and the Judges thereof and other the persons or person executing the duties of the Office of Judge for the time being are hereby authorized and required to take cognizance of and judicially to proceed upon all and all manner of captures, seizures, prizes and reprisals of all ships, vessels, and goods already seized and taken, and which hereafter shall be seized and taken, and to hear and determine the same, and according to the course of Admiralty and Law of Nations and the Statutes, Rules, and Regulations for the time being in force in that behalf, to adjudge and condemn all such ships, vessels, and goods as shall belong to the Sultan of Turkey or to the Ottoman Government or to the Citizens or Subjects thereof, or to any other persons inhabiting

within any of the countries, territories, or dominions of the said Sultan or which are otherwise condemnable as Prize.

In witness whereof We have caused the Great Seal of the United Kingdom to be put and affixed to these Presents.

Given at Our Court at *Buckingham Palace* this third day of *February*, in the year of our Lord one thousand nine hundred and fifteen, and in the fifth Year of Our Reign.

[*See Gazette of India, 1915, Part I, page 438.*]

ORDER IN COUNCIL DATED 11TH MARCH, 1915, FOR
RESTRICTING THE COMMERCE OF GERMANY.

No. 4676-W., dated the 24th April, 1915.—The following Order in Council is published for general information :—

Department
of Commerce
and Industry.

At the Court at Buckingham Palace, the 11th day of March, 1915.

Present :

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS the German Government has issued certain Orders which in violation of the usages of war, purport to declare the waters surrounding the United Kingdom a military area, in which all British and allied merchant vessels will be destroyed irrespective of the safety of the lives of passengers and crew, and in which neutral shipping will be exposed to similar danger in view of the uncertainties of naval warfare ;

And whereas in a memorandum accompanying the said Orders neutrals are warned against entrusting crews, passengers, or goods to British or allied ships ;

And whereas such attempts on the part of the enemy give to His Majesty an unquestionable right of retaliation ;

And whereas His Majesty has therefore decided to adopt further measures in order to prevent commodities of any kind from reaching or leaving Germany, though such measures will be enforced without risk to neutral ships or to neutral or non-combatant life, and in strict observance of the dictates of humanity :

And whereas the Allies of His Majesty are associated with Him in the steps now to be announced for restricting further the commerce of Germany :

His Majesty is therefore pleased, by and with the advice of His Privy Council, to order and it is hereby ordered as follows :—

1. No merchant vessel which sailed from her port of departure after the 1st March, 1915, shall be allowed to proceed on her voyage to any German port.

Unless the vessel receives a pass enabling her to proceed to some neutral or allied port to be named in the pass, goods on board any such vessels must be discharged in a British port and placed in the custody of the Marshal of the Prize Court. Goods so discharged, not being contraband of war, shall, if not requisitioned for the use of His Majesty, be

restored by order of the Court, upon such terms as the Court may in the circumstances deem to be just, to the person entitled thereto.

II. No merchant vessel which sailed from any German port after the 1st March, 1915, shall be allowed to proceed on her voyage with any goods on board laden at such port.

All goods laden at such port must be discharged in a British or allied port. Goods so discharged in a British port shall be placed in the custody of the Marshal of the Prize Court, and, if not requisitioned for the use of His Majesty, shall be detained or sold under the direction of the Prize Court. The proceeds of goods so sold shall be paid into Court and dealt with in such manner as the Court may in the circumstances deem to be just :

Provided that no proceeds of the sale of such goods shall be paid out of Court until the conclusion of peace, except on the application of the proper Officer of the Crown, unless it be shown that the goods had become neutral property before the issue of this Order :

Provided also that nothing herein shall prevent the release of neutral property laden at such enemy port on the application of the proper officer of the Crown.

III. Every merchant vessel which sailed from her port of departure after the 1st March, 1915, on her way to a port other than a German port, carrying goods with an enemy destination, or which are enemy property, may be required to discharge such goods in a British or allied port. Any goods so discharged in a British port shall be placed in the custody of the Marshal of the Prize Court, and, unless they are contraband of war, shall, if not requisitioned for the use of His Majesty, be restored by order of the Court, upon such terms as the Court may in the circumstances deem to be just, to the person entitled thereto :

Provided that this Article shall not apply in any case falling within Article II or IV of this Order.

IV. Every merchant vessel which sailed from a port other than a German port after the 1st March, 1915, having on board goods which are of enemy origin or are enemy property may be required to discharge such goods in a British or allied port. Goods so discharged in a British port shall be placed in the custody of the Marshal of the Prize Court, and, if not requisitioned for the use of His Majesty, shall be detained or sold under the direction of the Prize Court. The proceeds of goods so sold shall be paid into Court and dealt with in such manner as the Court may in the circumstances deem to be just :

Provided that no proceeds of the sale of such goods shall be paid out of Court until the conclusion of peace except on the application of the proper Officer of the Crown, unless it be shown that the goods had become neutral property before the issue of this Order :

Provided also that nothing herein shall prevent the release of neutral property of enemy origin on the application of the proper Officer of the Crown.

V. (1) Any person claiming to be interested in, or to have any claim in respect of, any goods (not being contraband of war) placed in

the custody of the Marshal of the Prize Court under this Order, or in the proceeds of such goods, may, forthwith, issue a writ in the Prize Court against the proper Officer of the Crown and apply for an order that the goods should be restored to him, or that their proceeds should be paid to him, or for such other order as the circumstances of the case may require.

(2) The practice and procedure of the Prize Court shall, so far as applicable, be followed *mutatis mutandis* in any proceedings consequential upon this Order.

VI. A merchant vessel which has cleared for a neutral port from a British or allied port, or which has been allowed to pass having an ostensible destination to a neutral port, and proceeds to an enemy port, shall, if captured on any subsequent voyage, be liable to condemnation.

VII. Nothing in this Order shall be deemed to affect the liability of any vessel or goods to capture or condemnation independently of this Order.

VIII. Nothing in this Order shall prevent the relaxation of the provisions of this Order in respect of the merchant vessels of any country which declares that no commerce intended for or originating in Germany or belonging to German subjects shall enjoy the protection of its flag.

ALMERIC FITZROY.

[See Gazette of India, 1915, Part I, page 612.]

THE TRADING WITH THE ENEMY (CHINA, SIAM, PERSIA AND MOROCCO) PROCLAMATION, 1915, DATED 25TH JUNE, 1915.

No. 12221-W., dated the 24th July, 1915.—The following Royal Proclamation is published for general information :—

Department
of Commerce
and Industry.
Commerce
and Trade.

BY THE KING.

A Proclamation relating to Trading with Persons of Enemy Nationality Resident or Carrying on Business in China, Siam, Persia, or Morocco.

George, R. I.

WHEREAS it is expedient that transactions between British subjects and persons of enemy nationality resident or carrying on business in China, Siam, Persia, or Morocco should be restricted in manner provided by this Proclamation :

Now, THEREFORE, We have thought fit, by and with the advice of Our Privy Council, to issue this Our Royal Proclamation declaring, and it is hereby declared as follows :—

1. The Proclamations for the time being in force relating to Trading with the Enemy shall, as from the twenty-sixth day of July, nineteen hundred and fifteen, apply to any person or body of persons of enemy nationality resident or carrying on business in China, Siam, Persia, or

Morocco in the same manner as they apply to persons or bodies of persons resident or carrying on business in an enemy country :

Provided that where an enemy has a branch locally situated in China, Siam, Persia, or Morocco, nothing in Article 6 of the Trading with the Enemy Proclamation No. 2 shall be construed so as to prevent transactions by or with that branch being treated as transaction by or with an enemy.

2. Nothing in this Proclamation shall be taken to prohibit anything which may be specially permitted by Our license or by a license given on Our behalf by a Secretary of State or the Board of Trade of the Lords Commissioners of Our Treasury.

3. This Proclamation shall be called the trading with the Enemy (China, Siam, Persia, and Morocco) Proclamation, 1915.

Given at Our Court at Buckingham Palace, this twenty-fifth day of June, in the year of Our Lord, one thousand nine hundred and fifteen, and in the sixth year of Our Reign.

GOD SAVE THE KING.

[See Gazette of India, 1915, Part I, page 949.]

PROCLAMATION DATED 28TH JULY, 1915, PROHIBITING
THE EXPORTATION OF CERTAIN ARTICLES FROM
THE UNITED KINGDOM.

Department
of Commerce
and Industry.
Customs.

No. 13811-W., dated the 21st August 1915.*—In supersession of the Notifications in this Department Nos. 2894-W., dated the 20th March, 1915, 3358-W., dated the 3rd April, 1915, 3957-W., dated the 17th April, 1915, 6314-W., dated the 15th May, 1915, 7073-W., dated the 22nd May, 1915, 7616-W., dated the 29th May, 1915, 8256-W., dated the 12th June, 1915, 9149-W., dated the 19th June, 1915, 10806-W., dated the 10th July, 1915, 11680-W., dated the 17th July, 1915, 13106-W., dated the 7th August, 1915 and 13597-W., dated the 14th August, 1915, the following Royal Proclamation is published for general information :—

BY THE KING.

A Proclamation prohibiting under Section “The Customs and Inland Revenue Act, 1879,” and Section one of “The Exportation of Arms Act, 1900,” and Section one of “The Customs (Exportation Prohibition) Act, 1914,” and Section one of “The Customs (Exportation Restriction) Act, 1914,” the Exportation from the United Kingdom of certain Articles.

George, R. I.

WHEREAS by Section 8 of “The Customs and Inland Revenue Act, 1879,” it is enacted that the exportation of arms, ammunition, and

* For amendments, see Orders in Council, dated 30th July 1915, 3rd August, 1915 12th August, 1915, 16th September, 1915, 4th October 1915, 13th October, 1915 and 19th October, 1915, *infra*.

gunpowder, military and naval stores, and any articles which We shall judge capable of being converted into or made useful in increasing the quantity of military or naval stores, provisions, or any sort of victual which may be used as food for man may be prohibited by Proclamation:

AND WHEREAS by Section one of "The Exportation of Arms Act, 1900," it is enacted that We may by Proclamation prohibit the exportation of all or any of the following articles, namely, arms, ammunition, military and naval stores, and any article which We shall judge capable of being converted into or made useful in increasing the quantity of arms, ammunition, or military or naval stores, to any country or place therein named whenever We shall judge such prohibition to be expedient in order to prevent such arms, ammunition, military or naval stores, being used against Our subjects or forces or against any forces engaged or which may be engaged in military or naval operations in co-operation with Our forces:

AND WHEREAS by Section one of "The Customs (Exportation Prohibition) Act, 1914," it is enacted that Section 8 of the aforesaid Customs and Inland Revenue Act, 1879, shall have effect whilst a state of war in which We are engaged exists as if in addition to the articles therein mentioned there were included all other articles of every description:

AND WHEREAS it is further enacted by Section 2 of "The Customs (Exportation Prohibition) Act, 1914," that any Proclamation or Order in Council made under Section 8, as so amended, of "The Customs and Inland Revenue Act, 1879," may whilst a state of war exists be varied or added to by an Order made by the Lords of the Council on the recommendation of the Board of Trade:

AND WHEREAS by Section one of "The Customs (Exportation Restriction) Act, 1914" it is enacted that Section one of the "Exportation of Arms Act, 1900," shall have effect whilst a state of war in which We are engaged exists as if, in addition to the articles therein mentioned, there were included all other articles of every description:

AND WHEREAS it is further enacted by Section 2 of "The Customs (Exportation Restriction) Act, 1914," that any Proclamation made under Section one of the "Exportation of Arms Act, 1900," may, whether the Proclamation was made before or after the passing of the Act now in recital, be varied or added to by an Order made by the Lords of the Council on the recommendation of the Board of Trade:

AND WHEREAS a Proclamation dated the 3rd February, 1915, and various Orders, dated respectively, the 2nd and the 18th March, the 15th, the 21st and the 26th April, the 6th and the 20th May, the 2nd and the 24th June, the 8th and the 19th July, 1915, prohibiting the exportation of certain articles therein referred to from the United Kingdom to certain or all destinations, have been issued in pursuance of the aforesaid powers:

AND WHEREAS it is expedient that the said Proclamation and Orders should be consolidated with amendments and additions, and that such Proclamation and Orders should be revoked:

AND WHEREAS We have deemed it expedient to prohibit the exportation of the articles hereinafter enumerated:

Now, THEREFORE, We have thought fit, by and with the advice of Our Privy Council, to issue this Our Royal Proclamation, declaring, and it is hereby declared, that the abovementioned Proclamation and Orders be and the same are hereby revoked ;

And We have further thought fit, by and with the advice aforesaid, and in virtue and in exercise of the powers aforesaid, further to declare, and it is hereby declared, as follows :—

(A) That the exportation of the following goods be prohibited to all destinations :—

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| <p>Aircraft of all kinds, including aeroplanes, airships, and balloons, and their component parts, together with accessories and articles suitable for use in connection with aircraft, including :—non-inflammable "celluloid" sheet (or similar transparent material non-soluble in lubricating oil, petrol or water); aeroplane dope; high tensile steel tubes; aeroplane instruments (aneroids, barographs, revolution indicators); aeroplane turnbuckles; steel stampings; aeroplane engines and parts;</p> <p>Animals, pack, saddle and draught, suitable for use in war;</p> <p>Cannon and other ordnance and machine guns, and parts thereof;</p> <p>Capsicum and oleo-resin of capsicum;</p> <p>Carbons, suitable for searchlights;</p> <p>Carriages and mountings for cannon and other ordnance, and for machine guns and parts thereof;</p> <p>Cartridges, charges of all kinds, and their component parts;</p> <p>Celluloid;</p> <p>Chemicals, drugs, dyes and dye stuffs, medicinal and pharmaceutical preparations, and tanning extracts, namely :—</p> <p style="padding-left: 20px;">Aceto-celluloses ;</p> <p style="padding-left: 20px;">Acetone ;</p> <p style="padding-left: 20px;">Acetylsalicylic acid (aspirin) ;</p> <p style="padding-left: 20px;">Alcohol, methylic ;</p> <p style="padding-left: 20px;">Ammonium nitrate, perchlorate and sulphocyanide ;</p> <p style="padding-left: 20px;">Amyl acetate ;</p> <p style="padding-left: 20px;">Anthracene oil and green oil ;</p> <p style="padding-left: 20px;">Antipyrine (phenazone) ;</p> <p style="padding-left: 20px;">Anti-tetanus serum ;</p> <p style="padding-left: 20px;">Belladonna, its alkaloids and preparations, including belladonna plaster ;</p> <p style="padding-left: 20px;">Benzol ;</p> <p style="padding-left: 20px;">Caffeine and its salts ;</p> <p style="padding-left: 20px;">Calcium acetate and all other metallic acetates ;</p> <p style="padding-left: 20px;">Cantharides and its preparations ;</p> <p style="padding-left: 20px;">Carbolic acid ;</p> <p style="padding-left: 20px;">Carbon disulphide ;</p> | <p>Chloral and its preparations, including chloramid ;</p> <p>Chlorates, perchlorates and nitrates, all metallic ;</p> <p>Coal tar distillation products, being the fractions of the distillation products of coal tar between benzol and cresol ;</p> <p>Coal tar products for use in dye manufacture, including aniline oil and aniline salt ;</p> <p>Collodion ;</p> <p>Cresol, and all preparations of cresol (including cresylic acid) and nitrocresol (except saponified cresol) ;</p> <p>Cyanamide ;</p> <p>Diethyl barbituric acid (veronal) and veronal sodium ;</p> <p>Dimethylaniline ;</p> <p>Dyes and dye stuffs manufactured from coal tar products ;</p> <p>Emetin and its salts ;</p> <p>Ergot of rye, not including liquid extract or other medicinal preparations of ergot ;</p> <p>Eucaïne hydrochlor ;</p> <p>Fusel oil (amyl alcohol) ;</p> <p>Gentian and its preparations ;</p> <p>Glycine, crude and refined ;</p> <p>Henbane and its preparations ;</p> <p>Hydroquinone ;</p> <p>Indigo, natural ;</p> <p>Ipecacuanha root ;</p> <p>Manganese, peroxide of ;</p> <p>Methylaniline ;</p> <p>Neo-salvarsan ;</p> <p>Nitric acid ;</p> <p>Nitrotoluol ;</p> <p>Novocain ;</p> <p>Opium and its preparations and alkaloids ;</p> <p>Paraffin, liquid medicinal ;</p> <p>Paraformaldehyde and trioxymethylene ;</p> <p>Paraldehyde ;</p> <p>"Peptone Witte ;"</p> <p>Phenacetin ;</p> <p>Pieric acid and its components ;</p> <p>Potash, caustic ;</p> |
|---|--|

- Potassium cyanide ;
 Potassium permanganate ;
 Protargal, not including silver proteinate ;
 Pyridine ;
 Saccharin (including "saxen") ;
 Salicylic acid, methyl salicylate, sodium salicylate, and theobromine-sodium salicylate ;
 Salol ;
 Salvarsan ;
 Santonin and its preparations ;
 Sulphonal ;
 Sulphur, and spent oxide of sulphur ;
 Sulphur dioxide, liquefied ;
 Sulphuric acid ;
 Tanning, extracts for use, in the following :—
 Chestnut extract ;
 Oakwood extract ;
 Thorium, oxide and salts of ;
 Thymol and its preparations ;
 Toluol and mixtures containing toluol ;
 Trephenyl phosphate ;
 Trional ;
 Valonia ;
 Coal tar, crude ;
 Compasses, other than ships' compasses ;
 Cotton Fabric, suitable for aircraft ;
 Cotton waste of all descriptions ;
 Explosives of all kinds ;
 Field glasses and telescopes ;
 Firearms, rifled, of all kinds, and their component parts ;
 Flax fabric, suitable for aircraft ;
 Flax, raw ;
 Forage and food which may be used for animals, namely :—
 Beans, including haricot beans, Burma and Rangoon beans ;
 Brewers' and distillers' grains ;
 Brewers' dried yeast ;
 Cakes and meals, the following, namely :—
 Cocoanut and poonac cake ;
 Compound cakes and meal ;
 Cottonseed cake, decorticated and undecorticated, and cottonseed meal ;
 Gluten meal or gluten feed ;
 Linseed cake and meal ;
 Maize germ meal ;
 Maize meal and flour ;
 Hay ;
 Lentils ;
 Maize ;
 Malt dust, malt flour, culms, sprouts or combings.
 Offals of corn and grain, including :—
 Bran and pollard ;
- Mill dust and screenings of all kinds ;
 Rice meal (or bran) and dust ;
 Sharps and middlings ;
 Patent and proprietary cattle foods of all kinds ;
 Straw ;
 Glass for optical instruments ;
 Gold beaters' skin ;
 Grindery, the following articles of, used in the making of boots and shoes :—
 Brass rivets, for use by hand or machine ;
 Cutlan studs, for use by hand or machine ;
 Heel attaching pins, for use by hand or machine ;
 Lasting tacks or rivets, including iron shoe rivets, for use by hand or machine ;
 Steel bills, for use by hand or machine ;
 Heel tips ;
 Heel tip nails ;
 Hobnails of all descriptions
 Protector studs ;
 Screwing wire ;
 Harness and saddlery which can be used for military purposes, including metal fittings for such harness or saddlery ;
 Heliographs ;
 Hemp, other than Manila hemp ;
 Hides of cattle, buffaloes and horses, and calfskins ;
 Hosiery needles ;
 Iron pyrites ;
 Jute piece goods, and bags and sacks made of jute ;
 Jute yarns ;
 Khaki woollen cloth ;
 Leather, undressed or dressed, suitable for saddlery, harness, military boots or military clothing ;
 Magnetos ;
 Meat, namely, beef and mutton, fresh or refrigerated ;
 Oats ;
 • Periscopes ;
 Projectiles of all kinds and their component parts ;
 Range finders and parts thereof ;
 Sheepgut ;
 Silk cloth, silk braid, silk thread, suitable for cartridges ;
 Silk noils ;
 Silk Shantung, in the piece ;
 Spirits, methylated ;
 Spirits of a strength of not less than 43 degrees above proof ;
 Swords, bayonets and other arms (not being firearms) and parts thereof
 Tarpaulins and waggon covers ;
 Wheat, wheat flour and wheat meal ;

Wood, namely :—

Ash ;
Ash three-ply wood ;
Spruce ;

Walnut wood ;
Zinc (including zinc ashes, zinc rods,
zinc sheets, spelter, and spelter dross).

(B) That the exportation of the following goods be prohibited to all destinations abroad other than British Possessions and Protectorates :—

Accoutrements, namely, web equipment, leather belts, leather bandoliers, leather pouches, other leather articles of personal equipment suitable for military purpose ;

Alunite ;

Blankets, coloured, exceeding 3½ lbs. in weight, containing wool ;

Bone ash ;

Boots, heavy, for men ;

Camp equipment, articles of, including tents and their component parts, wooden huts, ovens, camp kettles, buckets, lanterns, and horse rugs ;

Carts, two-wheeled, capable of carrying 15 cwt. or over, and their component parts ;

Chemicals, drugs, medicinal and pharmaceutical preparations, namely :—

Acetanilide ;

Aconite and its preparations, and alkaloids ;

Ammonia and its salts, whether simple or compound, other than ammonium nitrate, perchlorate and sulphocyanide ;

Ammonia liquefied ;

Ammonia liquor ;

Antimony, sulphides and oxides of
Benzoic acid (synthetic) and benzoates ;

Bromine and alkaline bromides ;

Calcium carbide ;

Carbon tetrachloride ;

Chloride of tin ;

Chlorine (including liquefied chlorine) ;

Coca and its preparations and alkaloids ;

Copper iodide ;

Copper, suboxide of ;

Copper sulphate ;

Cresol (saponified) ;

Formic aldehyde ;

Hexamethylene tetramin (urotropin) and its preparations ;

Hydrobromic acid ;

Hydrochloric acid ;

Magnesium chloride and sulphate ;

Mercury, salts and preparations of (other than nitrate of mercury) ;

Oxalic acid ;

Oxides and salts (other than chlorates, perchlorates, and nitrates) of the following metals :—

Aluminium ;

Cobalt ;

Nickel ;

Tungsten ;

Phosphorus and its compounds ;

Potash salt (except potassium chlorate, cyanide, nitrate (saltpetre), perchlorate, and permanganate) ;

Prussiate of soda ;

Sodium hyposulphite (thiosulphate) ;

Tartaric acid, cream of tartar, and alkaline tartrates ;

Urea and its compounds ;

Zinc chloride and sulphate ;

Coal sacks ;

Deer skins, dressed and undressed ;

Draw plates, jewelled, for drawing steel wire, and diamonds prepared for use therein ;

Electros for printing purposes, composed of lead, antimony, and copper ;

Ferro alloys, including :—

Ferro-chrome ;

Ferro-manganese ;

Ferro-molybdenum ;

Ferro-nickel ;

Ferro-titanium ;

Ferro-tungsten ;

Ferro-vanadium ;

Spiegeleisen ;

Ferro-silicon ;

Forges, portable ;

Goat skins, dressed and undressed ;

Graphite, including foundry (moulding) plumbago and plumbago for lubricating ;

Guanos ;

Hemp, the following manufactures of :—

Cloth ;

Cordage and twine, not including cordage or twine of Manila hemp or reaper or binder twine ;

Horse shoes ;

Jute, raw and carded ;

Lubricants ;

Maps and plans of any place within the territory of any belligerent, or within the area of military operations, on a scale of four miles to one inch or on any larger scale, and reproduction on any scale by photography or otherwise of such maps or plans;

Metals and ores, namely:—

Aluminium, manufactures of aluminium, and alloys of aluminium;

Antimony and alloys of antimony, including anti-friction metal;

Bauxite;

Chrome ore;

Cobalt;

Copper unwrought and part wrought, all kinds, including alloys of copper (such as brass, gun metal, naval brass and delta metal, phosphor copper, phosphor bronze, and solder containing copper), copper and brass circles, slabs, bars, ingots, scarp rods, and plates, and also wrought copper of the following descriptions:—

Copper and brass pipes, sheets, solid drawn tubes, condenser plates, copper wire, brass wire bronze wire, perforated brass sheets, perforated brass linings, and copper foil;

Lead, pig, sheet or pipe (including solder containing lead);

Lead ore;

Manganese and manganese ore;

Mercury;

Molybdenum and molybdenite;

Nickel and nickel ore;

Scheelite;

Selenium;

Steel containing tungsten or molybdenum or both, and any tools or other articles made from such steel;

Tin and tin ore;

Tungsten;

Vanadium;

Wolframite;

Wulfenite;

Zinc ore;

Mica (including mica splittings) and micanite;

Mineral jellies;

Mines and parts thereof;

Oil, blast furnace (except creosote and creosote oil);

Oil fuel, shale;

Oils, and fats, all animal and vegetable, including fatty acids, but not including essential oils;

Oil, whale (train, blubber, sperm, seal oil, shark oil, fish oil generally and mixtures or compounds of any of the foregoing);

Oleaginous nuts, seeds and products, namely:—

Castor beans;

Cocoanuts;

Copra;

Cotton seed;

Ground nuts, earth nuts or peanuts (Arachides);

Hempseed;

Linseed;

Palm nuts and palm kernels;

Poppy seeds;

Rape or colza seed;

Sesame seed;

Soya beans;

Sunflower seed;

Paraffin wax, wax candles, and waxed paper;

Petroleum, fuel oil (including turpentine substitute and paraffin oil);

Petroleum, gas oil;

Petroleum spirit and motor spirit (including Shell spirit);

Phosphate rock, *viz.*:—

Apatites;

Phosphates of lime and alumina;

Pigskins, dressed or undressed;

Provisions and victuals which may be used as food for man, namely:—

Animals, living, for food;

Barley, barley meal, and pearled and pot barley;

Butter;

Cheese;

Eggs in shells;

Lard and imitation lard;

Malt;

Margarine;

Milk, condensed, sweetened or not;

Oatmeal and rolled oats;

Peas, except tinned and bottled peas and peas packed in cardboard boxes and similar receptacles;

Sugar, refined and candy;

Sugar, unrefined;

Rope (steel wire) and hawsers;

Rubber (including raw, waste and reclaimed rubber, solutions containing rubber, jellies containing rubber, or any other preparations containing rubber, and also including balata, gutta-percha, and the following varieties of rubber, *viz.*:—Borneo, Guayule, Jelutong, Palembang, Pontianac and all other substances containing caoutchouc) and goods made wholly or partly of rubber; including tyres for motor

vehicles and for cycles, together with articles or materials especially adapted for use in the manufacture or repair of tyres ;
 Search-lights ;
 Sheepskin, tanned ;
 Sheepskins, whether woolled or not ;
 Signalling lamps of all kinds capable of being used for signalling Morse or other code and component parts of such lamps ;
 Submarine sound signalling apparatus ;
 Surgical bandages and dressings (including buttercloth) ;
 Tanning substances of all kinds (including extracts for use in tanning) except chestnut extract, oakwood extract, and valonia ;
 Telephone sets and parts thereof, field service telegraph and telephone cable ;
 Torpedo nets ;
 Torpedo tubes ;
 Torpedoes and parts thereof ;
 Tungsten filaments for electric lamps ;
 Turpentine (oil and spirit) ;
 Uniform clothing and military equipment ;

Vessels, boats and craft of all kinds : floating docks and their component parts ;
 Waggon, four-wheeled, capable of carrying one ton and over and their component parts ;
 Wax, mineral and vegetable, except Carnauba wax ;
 Wire, barbed, and galvanized wire, and implements for fixing and cutting the same (but not including galvanised wire netting) ;
 Wire, steel, of all kinds ;
 Wood tar, and wood tar oil ;
 Wool, raw (sheep's and lambs') ;
 Wool tops ;
 Wool noils ;
 Wool waste ;
 Woollen rags, applicable to other uses than manure, pulled or not ;
 Woollen and worsted cloth suitable for uniform clothing, not including women's dress stuffs or cloth with pattern ;
 Woollen and worsted yarns ;
 Woollen jerseys, cardigan jackets, woollen gloves, woollen socks, and men's woollen underwear of all kinds.

(C) That the exportation of the following goods be prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal :—

Anchors and chain cables ;
 Armour plates, armour quality castings, and similar protective material ;
 Asbestos ;
 Bags and sacks of all kinds (except bags and sacks made of jute and paper bags) ;
 Bicycles, and their component parts ;
 Binder twine ;
 Bladders, casings, and sausage skins ;
 Camphor ;
 Carnauba wax ;
 Chemicals, drugs, etc. :—
 Arsenic and its compounds ;
 Bichromate of soda ;
 Bismuth and its salts (except bismuth nitrate) ;
 Iodine and its preparations and compounds ;
 Nux Vomica and its alkaloids and preparations ;
 Tin, compounds of, other than chloride of tin and tin ore ;
 Chronometers and all kinds of nautical instruments ;

Compasses for ships, and parts thereof including fittings such as binnacles ;
 Cotton, raw ;
 Cotton yard and thread ;
 Firearms, unrifled, for sporting purposes ;
 Flaxen canvas, namely :—
 Hammock canvas ;
 Kitbag canvas ;
 Merchant Navy canvas ;
 Royal Navy canvas ;
 Tent canvas ;
 Forage and food which may be used for animals, namely :—
 Buckwheat ;
 Cakes and meals, the following, namely :—
 Biscuits meal ;
 Calf meal ;
 Fish meal and concentrated fish ;
 Ground nut or earth nut cake and meal ;
 Hempseed cake and meal ;
 Husk meal ;
 Locust bean meal ;
 Meat meal ;
 Palmnut cake and meal ;

Poppyseed cake and meal;
 Rapeseed or colzaeed cake and meal;
 Sesame seed cake and meal;
 Soya bean cake and meal;
 Sunflower seed cake and meal;
 Chick peas, pigeon peas, gram or dhol;
 Dari;
 Millet;
 Molasses for cattle feeding;
 Grindstones, carborundum wheels, and emery wheels;
 Gums, resins, balsams, and resinous substances of all kinds, except such as contain caoutchouc;
 Hair, animal, of all kinds; and tops, noils and yarns of animal hair;
 Implements and apparatus designed exclusively for the manufacture of munitions of war, for the manufacture or repair of arms or of war material for use on land or sea namely, plant for cordite and ammunition factories, viz.:—
 Cordite presses;
 Dies for cartridge cases;
 Gauges for shells or cartridges;
 Incorporators;
 Lapping machines;
 Rifling machines;
 Wire-winding machines;
 Intrenching tools and intrenching implements, namely, pick-axes and grubbers, whether of combination pattern or otherwise: spades and shovels of all descriptions; helms and handles for pick-axes, grubbers, spades and shovels; and machinery for trenching and ditching;
 Lacs of all kinds, including shellac, gum lac, seed lac, stick lac, and other forms of lac, but not including lac dye;
 Lignum vitæ;
 Linen close canvas;
 Linen duck cloth;
 Machinery, metal-working;
 Mahogany;

Mess tins, and water bottles for military use;
 Metals and ores, namely:—
 Copper ore;
 Iron ore;
 Iron hæmatite pig;
 Monazite sand;
 Motor vehicles of all kinds, including motor bicycles, and their component parts and accessories;
 Packings, engine and boiler (including slagwool);
 Provisions and victuals which may be used as food for man, namely:—
 Cassava powder and tapioca;
 Cocoa powder;
 Herrings, cured or salted, in barrels or cases, including dry salted herrings and herrings in brine;
 Mandioca or tapioca flour;
 Onions;
 Potatoes;
 Rice and rice flour;
 Rye, rye flour and meal
 Sago and sago meal and flour;
 Soups, compressed and desiccated;
 Tinned and potted meats and extract of meat;
 Railway material, both fixed and rolling stock;
 Rattans;
 Seeds, clover and grass;
 Shipbuilding materials, namely:—
 Boiler tubes;
 Condenser tubes;
 Iron and steel castings and forgings for hulls and machinery of ships;
 Iron and steel plates and sectional materials for shipbuilding;
 Marine engines, and parts thereof;
 Ships' auxiliary machinery;
 Sounding machines and gear;
 Telegraphs, wireless telegraphs and telephones, material for;
 Terneplate;
 Tin plates, including tin boxes and tin canisters for food packing.

(D) That the exportation of the following goods be prohibited to all destinations abroad other than British Possessions and Protectorates and Allied Countries:—

Coal (including anthracite and steam, gas, household and all other kinds of coal) and coke.

GIVEN at Our Court at Buckingham Palace, this Twenty-eighth day of July, in the year of Our Lord One thousand nine hundred and fifteen, and in the Sixth year of Our Reign.

GOD SAVE THE KING.

[See *Gazette of India*, 1915, Part I, pages 1141—1151.]

THE DIAMONDS (PROHIBITION OF IMPORT) PROCLAMATION, DATED 28TH JULY, 1915.

Department
of Commerce
and Industry.
Customs.

No. 13812-W., dated the 21st August, 1915.—The following Royal Proclamation is published for general information :—

By THE KING.

A Proclamation for prohibiting the importation of unset diamonds into the United Kingdom.

George R. I.

WHEREAS by Section 43 of the Customs Consolidation Act, 1876, it is provided that the importation of arms, ammunition, gunpowder or any other goods may be prohibited by Proclamation :

AND WHEREAS it is expedient that the importation into the United Kingdom of unset diamonds should be prohibited except as hereinafter provided :

Now, THEREFORE, We, by and with the advice of Our Privy Council, in pursuance of the said Act and of all other powers enabling Us in that behalf, do hereby proclaim, direct and ordain as follows :—

As from and after the fourth day of August, 1915, subject as hereinafter provided, all unset diamonds shall be prohibited to be imported into the United Kingdom :

Provided always, and it is hereby declared, that nothing in this Proclamation shall apply to unset diamonds imported under the licence of one of Our Principal Secretaries of State and in accordance with the provisions of such licence.

This Proclamation may be cited as the Diamonds (Prohibition of Import) Proclamation, 1915.

GIVEN at Our Court at Buckingham Palace, this Twenty-eighth day of July, in the year of Our Lord One thousand nine hundred and fifteen, and in the Sixth year of Our Reign,

GOD SAVE THE KING.

[See Gazette of India, 1915, Part I, pages 1151-1152.]

ORDER IN COUNCIL, DATED 30TH JULY, 1915, AMENDING PROCLAMATION OF THE 28TH JULY, 1915.

Department
of Commerce
and Industry.
Customs.

No. 14106-W., dated the 28th August, 1915.—The following Order in Council is published for general information :—

AT THE COUNCIL CHAMBER, WHITEHALL.

The 30th day of July, 1915.

By the Lords of His Majesty's Most Honourable Privy Council.

WHEREAS it is provided by Section 2 of the "Customs (Exportation Prohibition) Act, 1914," that any Proclamation or Order in Council made

under Section 8 of the "Customs and Inland Revenue Act, 1879," as amended by the Act now in recital, may, whilst a state of war exists, be varied or added to by an Order made by the Lords of the Council on the recommendation of the Board of Trade :

AND WHEREAS it is provided by Section 2 of the "Customs (Exportation Restriction) Act, 1914," that any Proclamation made under Section one of the "Exportation of Arms Act, 1900," may, whether the Proclamation was made before or after the passing of the Act now in recital, be varied or added to, whilst a state of war exists, by an order made by the Lords of the Council on the recommendation of the Board of Trade :

AND WHEREAS by a Proclamation, dated the 28th day of July, 1915, and made under Section 8 of the "Customs and Inland Revenue Act, 1879," and Section one of the "Exportation of Arms Act, 1900," and Section one of the "Customs (Exportation Prohibition) Act, 1914," the exportation from the United Kingdom of certain articles to certain or all destinations was prohibited :

AND WHEREAS there was this day read at the Board a recommendation from the Board of Trade to the following effect :—

That the Proclamation, dated the 28th day July, 1915, should be amended by making the following amendments in and additions to the same :—

- (1) That the exportation of "copper and brass solid drawn tubes," which is at present prohibited to all destinations abroad other than British Possessions and Protectorates, should be prohibited to all destinations.
- (2) That the exportation of the following goods should be prohibited to all destinations :—

Diamonds, rough, suitable for industrial purposes.

- (3) That the exportation of the following goods should be prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except Baltic ports), Italy, Spain and Portugal :—

Charcoal and peat.

Forage and food which may be used for animals, namely:—

Green forage ;

Lupin seeds.

Provisions and victuals which may be used as food for man namely :—

Bacon, ham and pork ;

Cocoa, raw, of all kinds and all preparations of cocoa, including cocoa husks, cocoa shells and chocolate ;

Coffee ;

Vegetables, fresh, except peas.

Now, THEREFORE, Their Lordships, having taken the said recommendation into consideration, are pleased to order, and it is hereby ordered, that the same be approved.

Whereof the Commissioners of His Majesty's Customs and Excise, the Director of the War Trade Department, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

ALMERIC FITZROY.

[See Gazette of India, 1915, Part I, page 1176.]

ORDER IN COUNCIL, DATED 3RD AUGUST, 1915, FURTHER
AMENDING PROCLAMATION OF THE 28TH JULY, 1915.

Department of Commerce and Industry. Customs. *No. 14105-W., dated the 28th August, 1915.*—The following Order in Council is published for general information :—

AT THE COUNCIL CHAMBER, WHITEHALL.

The 3rd day of August, 1915.

By the Lords of His Majesty's Most Honourable Privy Council.

WHEREAS it is provided by Section 2 of the "Customs (Exportation Prohibition) Act, 1914," that any Proclamation or Order in Council made under Section 8 of the "Customs and Inland Revenue Act, 1879," as amended by the Act now in recital, may, whilst a state of war exists, be varied or added to by an Order made by the Lords of the Council on the recommendation of the Board of Trade;

AND WHEREAS it is provided by Section 2 of the "Customs (Exportation Restriction) Act, 1914," that any Proclamation made under Section one of the "Exportation of Arms Act, 1900," may, whether the Proclamation was made before or after the passing of the Act now in recital, be varied or added to, whilst a state of war exists, by an Order made by the Lords of the Council on the recommendation of the Board of Trade:

AND WHEREAS by a Proclamation, dated the 28th day of July, 1915, and made under Section 8 of the "Customs and Inland Revenue Act, 1879," and Section one of the "Exportation of Arms Act, 1900," and Section one of the "Customs (Exportation Prohibition) Act, 1914," the exportation from the United Kingdom of certain articles to certain or all destinations was prohibited:

AND WHEREAS by an Order of Council, dated the 30th day of July, 1915, the said Proclamation was amended and added to in certain particulars:

AND WHEREAS there was this day read at the Board a recommendation from the Board of Trade to the following effect:—

That the Proclamation, dated the 28th day of July, 1915, as amended and added to by the Order of Council, dated the 30th day of July, 1915, should be further amended by making the following amendment in the same:

That on and after the 13th day of August, 1915, the exportation of "Coal (including anthracite and steam, gas, household and all other kinds of coal) and coke", which is at present permitted to British Possessions and Protectorates and Allied Countries, should be prohibited to all destinations abroad other than British Possessions and Protectorates.

NOW, THEREFORE, Their Lordships, having taken the said recommendation into consideration, are pleased to order, and it is hereby ordered, that the same be approved.

Whereof the Commissioners of His Majesty's Customs and Excise, the Director of the War Trade Department, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

ALMERIC FITZROY.

[See Gazette of India, 1915, Part I, page 1176.]

ORDER IN COUNCIL DATED 12TH AUGUST, 1915, FURTHER
AMENDING PROCLAMATION OF THE 28TH JULY, 1915.

No. 14574-W., dated 11th September, 1915.—The following Order in Council is published for general information :—

Department of
Commerce
and Industry.
Customs.

AT THE COUNCIL CHAMBER, WHITEHALL,

The 12th day of August, 1915.

By the Lords of His Majesty's Most Honourable Privy Council.

WHEREAS it is provided by Section 2 of the "Customs (Exportation Prohibition) Act, 1914," that any Proclamation or Order in Council made under Section 8 of the "Customs and Inland Revenue Act, 1879," as amended by the Act now in recital, may, whilst a state of war exists be varied or added to by an Order made by the Lords of the Council on the recommendation of the Board of Trade :

AND WHEREAS it is provided by Section 2 of the "Customs (Exportation Restriction) Act, 1914," that any Proclamation made under Section one of the "Exportation of Arms Act, 1900," may, whether the Proclamation was made before or after the passing of the Act now in recital, be varied or added to, whilst a state of war exists, by an order made by the Lords of the Council on the recommendation of the Board of Trade :

AND WHEREAS by a Proclamation, dated the 28th day of July, 1915, and made under Section 8 of the "Customs and Inland Revenue Act, 1879" and Section one of the "Exportation of Arms Act, 1900," and Section one of the "Customs (Exportation Prohibition) Act, 1914," the exportation from the United Kingdom of certain articles to certain or all destinations was prohibited :

AND WHEREAS by Orders of Council, dated respectively, the 30th day of July, 1915, and the 3rd day of August, 1915, the said Proclamation was amended and added to in certain particulars :

AND WHEREAS there was this day read at the Board a recommendation from the Board of Trade to the following effect :—

That the Proclamation, dated the 28th day of July, 1915, as amended and added to by the Orders of Council, dated respectively the 30th day of July, 1915, and the 3rd day of August, 1915, should be further amended by making the following amendments in and additions to the same :—

- (1) That the heading "Hosiery Needles" in the list of goods the exportation of which is prohibited to all destinations

should be deleted, and that the exportation of "Hosiery Needles" should be prohibited to all destinations abroad other than British Possessions and Protectorates.

- (2) That the heading "Mercury" in the list of goods the exportation of which is prohibited to all destinations abroad other than British Possessions and Protectorates should be deleted, and that the exportation of "Mercury" should be prohibited to all destinations.
- (3) That the heading "Mercury, salts and preparations of (other than nitrate of Mercury)" in the list of goods the exportation of which is prohibited to all destinations abroad other than British Possessions and Protectorates should be deleted, and there be substituted therefor the heading "Mercury, compounds and preparations of (other than nitrate of mercury)."
- (4) That the exportation of the following goods should be prohibited to all destinations abroad other than British Possessions and Protectorates :—

Caustic soda ;

Sodium.

- (5) That the exportation of the following goods should be prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal :—

Acetic acid ;

Antimony, compounds of, except sulphides and oxides of antimony (the exportation of which is prohibited to all destinations abroad other than British Possessions and Protectorates) :

Copper, compounds of, except copper nitrate (the exportation of which is prohibited to all destinations), and copper iodide, copper sulphate, and sub-oxide of copper (the exportation of which is prohibited to all destinations abroad other than British Possessions and Protectorates) :

Sodium cyanide ;

Sodium sulphide.

NOW, THEREFORE, Their Lordships, having taking the said recommendation into consideration, are pleased to order, and it is hereby ordered, that the same be approved.

WHEREOF the Commissioners of His Majesty's Customs and Excise, the Director of the War Trade Department, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

ALMERIC FITZROY.

PROCLAMATION RELATING TO TRADING WITH THE
ENEMY, DATED 14TH SEPTEMBER, 1915.

No. 15677-W., dated the 9th October, 1915.—The following Royal Proclamation is published for general information :—

Department
of Commerce
and Industry.
Commerce and
Trade.

BY THE KING.

A Proclamation Relating to Trading with the Enemy.

George, R. I.

WHEREAS doubts have arisen as respects the position under the Proclamations for the time being in force relating to Trading with the Enemy of incorporated companies or bodies of persons which, though not incorporated in any enemy country or in territory in hostile occupation, carry on business in any such country or territory.

AND WHEREAS it is expedient that the position of those companies or bodies for the purposes of those Proclamations should be defined.

NOW, THEREFORE, We have thought fit, by and with the advice of Our Privy Council, to issue this Our Royal Proclamation declaring, and it is hereby declared, as follows :—

For the purposes of the Proclamations for the time being in force relating to Trading with the Enemy, the expression "enemy," notwithstanding anything in the said Proclamations, is hereby declared to include, and to have included, any incorporated company or body of persons (wherever incorporated) carrying on business in an enemy country or in any territory for the time being in hostile occupation.

GIVEN at Our Court at Buckingham Palace, this Fourteenth day of September, in the year of Our Lord One thousand nine hundred and fifteen, and in the Sixth year of Our Reign.

GOD SAVE THE KING.

[See Gazette of India, 1915, Part I, pages 1894-1895.]

ORDER IN COUNCIL, DATED 16TH SEPTEMBER, 1915,
FURTHER AMENDING PROCLAMATION OF THE 28TH
JULY, 1915.

No. 15930-W., dated the 16th October, 1915.—The following Order in Council is published for general information :—

Department
of Commerce
and Industry.
Customs.

At the Council Chamber, Whitehall.

The 16th day of September, 1915.

BY THE LORDS OF HIS MAJESTY'S MOST HONOURABLE PRIVY COUNCIL.

WHEREAS it is provided by Section 2 of the Customs (Exportation Prohibition) Act, 1914, that any Proclamation or Order in Council made

under Section 8 of the Customs and Inland Revenue Act, 1879, as amended by the Act now in recital, may, whilst a state of war exists, be varied or added to by an order made by the Lords of the Council on the recommendation of the Board of Trade :

And whereas it is provided by Section 2 of the Customs (Exportation Restriction) Act, 1914, that any Proclamation made under Section 1 of the Exportation of Arms Act, 1900, may, whether the Proclamation was made before or after the passing of the Act, now in recital, be varied or added to, whilst a state of war exists, by an Order made by the Lords of the Council on the recommendation of the Board of Trade :

And whereas by a Proclamation, dated the 28th day of July, 1915, and made under Section 8 of the Customs and Inland Revenue Act, 1879, and Section one of the Exportation of Arms Act, 1900, and Section 1 of the Customs (Exportation Prohibition) Act, 1914, the exportation from the United Kingdom of certain articles to certain or all destinations was prohibited :

And whereas by Orders of Council, dated respectively the 30th day of July, 1915, the 3rd day of August, 1915, and the 12th day of August, 1915, the said Proclamation was amended and added to in certain particulars :

And whereas there was this day read at the Board a recommendation from the Board of Trade to the following effect :—

That the Proclamation, dated the 28th day of July, 1915, as amended and added to by the Orders of Council, dated respectively the 30th day of July, 1915, the 3rd day of August, 1915, and the 12th day of August, 1915, should be further amended by making the following amendments in and additions to the same :—

- (1) That the heading " Animals, pack, saddle and draught, suitable for use in war " in the list of goods the exportation of which is prohibited to all destinations should be deleted, and there be substituted therefor the heading " Animals, pack, saddle and draught, suitable or which may become suitable for use in war."
- (2) That the heading " Diamonds, rough, suitable for industrial purposes " in the list of goods the exportation of which is prohibited to all destinations should be deleted, and there be substituted therefor the heading " Diamonds, rough, suitable for industrial purposes including Brazilian earbon."
- (3) That the exportation of the following goods should be prohibited to all destinations :

Iron ore, Cumberland hæmatite.

- (4) That the exportation of the following goods, which is at present prohibited to all destinations, should be prohibited to all destinations abroad other than British Possessions and Protectorates :—

Beans, including haricot beans, Burma and Rangoon beans ;

Compound cakes and meal ;
Cottonseed cake, decorticated and undecorticated and
cottonseed meal ;
Lentils ;
Linseed cake and meal ;
Maize ;
Malt dust, malt flour, culms, sprouts or combings ;
Patent and proprietary cattle foods of all kinds ;
Rice meal (or bran) and dust.

- (5) That the heading " Bone ash " in the list of goods the exportation of which is prohibited to all destinations abroad other than British Possessions and Protectorates should be deleted, and there be substituted therefor the heading " Bones for manure, dissolved bones, bone flour, bone meal and bone ash."

- (6) That the exportation of the following goods should be prohibited to all destinations abroad other than British Possessions and Protectorates:—

Chlorides of sulphur ;
Fustic (chips and extract) and logwood (chips and extract, including hæmatine crystals and other logwood preparations);
Whale meal.

- (7) That the exportation of the following goods, which is at present prohibited to all destinations, should be prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal:—

Brewers' and distillers' grains ;
Brewers' dried yeast ;
Cocoanut and poonac cake ;
Gluten meal or gluten feed ;
Maize meal and flour ;
Mill dust and screenings of all kinds.

- (8) That the heading " Maize germ meal " in the list of goods the exportation of which is prohibited to all destinations should be deleted, and there be inserted in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal, the heading " Maize germs and maize germ meal."

- (9) That the exportation of salts of aluminium (other than alunite and nitrate of aluminium), which is at present prohibited to all destinations abroad other than British

Possessions and Protectorates, should be prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal.

- (10) That the heading "Molasses for cattle feeding" in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal, should be deleted.
- (11) That the heading "Iron ore" in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal, should be deleted and there be substituted therefor the heading :—

"Iron ore (except Cumberland hæmatite iron ore, the exportation of which is prohibited to all destinations)."

- (12) That the exportation of the following goods should be prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal :—

Calcium sulphide ;

China clay (including China stone and potters' clay) ;

Gas carbon ;

Kapok hempen fibre ;

Provisions and victuals which may be used as food for man, namely :—

Bean flour and meal ;

Biscuits, bread and cakes, all kinds of ;

Corn flour ;

Corn grits ;

Hominy ;

Lentil flour and meal ;

Macaroni, spaghetti and vermicelli ;

Meat of all kinds (except poultry and game), not including beef and mutton, fresh or refrigerated (the exportation of which is already prohibited to all destinations) ;

Pea flour and meal ;

Prepared foods wholly or partially derived from cereals ;

Semolina.

Now, therefore, Their Lordships, having taken the said recommendation into consideration, are pleased to order, and it is hereby ordered, that the same be approved.

Whereof the Commissioners of His Majesty's Customs and Excise, the Director of the War Trade Department, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

ALMERIC FITZROY.

[See Gazette of India, 1915, Part I, pages 1915-17.]

ORDER IN COUNCIL, DATED 4TH OCTOBER, 1915, FURTHER AMENDING PROCLAMATION OF THE 28TH JULY, 1915.

No. 16387-W., dated the 30th October, 1915.—The following Order in Council is published for general information :—

Department
of Commerce
and Industry.
Customs.

At the Council Chamber, Whitehall.

The 4th day of October, 1915.

BY THE LORDS OF HIS MAJESTY'S MOST HONOURABLE PRIVY COUNCIL.

WHEREAS it is provided by Section 2 of the Customs (Exportation Prohibition) Act, 1914, that any Proclamation or Order in Council made under Section 8 of the Customs and Inland Revenue Act, 1879, as amended by the Act now in recital, may, whilst a state of war exists, be varied or added to by an Order made by the Lords of the Council on the recommendation of the Board of Trade.

And whereas it is provided by Section 2 of the Customs (Exportation Restriction) Act, 1914, that any Proclamation made under Section 1 of the Exportation of Arms Act, 1900, may, whether the Proclamation was made before or after the passing of the Act now in recital, be varied or added to, whilst a state of war exists, by an order made by the Lords of the Council on the recommendation of the Board of Trade.

And whereas by a Proclamation, dated the 28th day of July, 1915, and made under Section 8 of the Customs and Inland Revenue Act, 1879, and Section 1 of the Exportation of Arms Act, 1900, and Section 1 of the Customs (Exportation Prohibition) Act, 1914, the exportation from the United Kingdom of certain articles to certain or all destinations was prohibited.

And whereas by subsequent orders of Council the said Proclamation was amended and added to in certain particulars :—

And whereas there was this day read at the Board a recommendation from the Board of Trade to the following effect :—

That the Proclamation, dated the 28th day of July, 1915, as amended and added to by subsequent Orders of Council, should be further amended by making the following amendments in and additions to the same :—

- (1) That the heading "Antipyrine (phenazone)" in the list of goods the exportation of which is prohibited to all destinations should be deleted, and there be substituted therefor the heading "Antipyrine (phenazone) and its derivatives."
- (2) That the heading "Jute piece goods, and bags and sacks made of jute" in the list of goods the exportation of which is prohibited to all destinations should be deleted, and there be

substituted therefor the heading " Jute piece goods, jute webbing, and bags and sacks made of jute."

- (3) That the heading " Mica (including mica splittings) and micanite " in the list of goods the exportation of which is prohibited to all destinations abroad other than British Possessions and Protectorates should be deleted, and there be substituted therefor the heading " Mica (including mica splittings and mica chimneys) and micanite."
- (4) That the heading " Milk, condensed, sweetened or not " in the list of goods the exportation of which is prohibited to all destinations abroad other than British Possessions and Protectorates should be deleted, and there be substituted therefor the heading " Milk, condensed or preserved, whether sweetened or not."
- (5) That the heading " Coal (including anthracite and steam, gas, household and all other kinds of coal) and coke " in the list of goods the exportation of which is prohibited to all destinations abroad other than British Possessions and Protectorates should be deleted, and there be substituted therefor the heading " Coal, all kinds and coke, but not including coal allowed by the Commissioners of Customs and Excise to be shipped as bunker coal."
- (6) That exportation of " Magnesite and magnesite bricks " should be prohibited to all destinations.
- (7) That the exportation of the following goods should be prohibited to all destinations abroad other than British Possessions and Protectorates :—

Chromium, compounds of, except chromium acetate, chromium chlorate, and chromium nitrate (the exportation of which is already prohibited to all destinations) and bichromate of soda (the exportation of which is and remains only prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal) ;

Oil fuel, but including any such fuel allowed by the Commissioners of Customs and Excise to be shipped for use on board the exporting ship.

- (8) That the exportation of the following goods should be prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal :—

Chemicals, drugs, etc. :—

Formic acid ;

Sodium carbonate (including soda ash, soda crystals and bicarbonate of soda) ;

Pepper ;

Ply wood of all kinds, except ash three-ply wood (the exportation of which is already prohibited to all destinations).

Now, therefore, Their Lordships, having taken the said recommendation into consideration, are pleased to order, and it is hereby ordered, that the same be approved.

Whereof the Commissioners of His Majesty's Customs and Excise, the Director of the War Trade Department, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

ALMERIC FITZROY.

[See Gazette of India, 1915, Part I, page 1960.]

ORDER IN COUNCIL DATED 13TH OCTOBER, 1915, FURTHER AMENDING PROCLAMATION OF THE 28TH JULY, 1915.

No. 38-W., dated the 6th November, 1915.—The following Order in Council is published for general information :—

Department
of Commerce
and Industry.
Customs.

At the Council Chamber, Whitehall.

The 13th day of October, 1915.

BY THE LORDS OF HIS MAJESTY'S MOST HONOURABLE PRIVY COUNCIL.

WHEREAS it is provided by Section 2 of the Customs (Exportation Prohibition) Act, 1914, that any Proclamation or Order in Council made under Section 8 of the Customs and Inland Revenue Act, 1879, as amended by the Act now in recital, may, whilst a state of war exists, be varied or added to by an Order made by the Lords of the Council on the recommendation of the Board of Trade :

And whereas it is provided by Section 2 of the Customs (Exportation Restriction) Act, 1914, that any Proclamation made under Section 1 of the Exportation of Arms Act, 1900, may, whether the Proclamation was made before or after the passing of the Act now in recital, be varied or added to, whilst a state of war exists, by an Order made by the Lords of the Council on the recommendation of the Board of Trade :

And whereas by a Proclamation, dated the 28th day of July, 1915, and made under Section 8 of the Customs and Inland Revenue Act, 1879, and Section 1 of the Exportation of Arms Act, 1900, and Section 1 of the Customs (Exportation Prohibition) Act, 1914, the exportation from the United Kingdom of certain articles to certain or all destinations was prohibited :

And whereas by subsequent Orders of Council the said Proclamation was amended and added to in certain particulars :

And whereas there was this day read at the Board a recommendation from the Board of Trade to the following effect :—

That the Proclamation, dated the 28th day of July, 1915, as amended and added to by subsequent Orders of Council, should be further amended by making the following amendments in and additions to the same :—

- (1) That the heading " Blankets, coloured, exceeding 3½ lbs. in weight, containing wool " in the list of goods the exportation of which is prohibited to all destinations abroad other

than British Possessions and Protectorates should be deleted, and there be inserted in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal, the heading "Blankets of all descriptions."

- (2) That the exportation of "Cotton fabric, suitable for aircraft," which is at present prohibited to all destinations, should be prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal.
- (3) That the heading "Harness and saddlery which can be used for military purposes, including metal fittings for such harness or saddlery" in the list of goods the exportation of which is prohibited to all destinations should be deleted, and there be substituted therefor the heading "Harness and saddlery, including metal fittings for such harness or saddlery."
- (4) That the heading "Leather, undressed, or dressed suitable for saddlery, harness, military boots or military clothing" in the list of goods the exportation of which is prohibited to all destinations should be deleted, that there be substituted therefor the heading "Leather, undressed or dressed, suitable for saddlery, harness, or military boots," and that there be inserted in the list of goods the exportation of which is prohibited to all destinations abroad other than British Possessions and Protectorates the heading "Leather, undressed or dressed, suitable for military clothing."
- (5) That the headings "Goatskins, dressed and undressed," "Sheepskins, tanned," and "Sheepskins, whether woolled or not" in the list of goods the exportation of which is prohibited to all destinations abroad other than British Possessions and Protectorates should be deleted, and there be substituted therefor the headings "Sheepskins, woolled," and "Skins of sheep and goats, undressed or dressed, other than those the exportation of which is specifically prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal."
- (6) That the headings "Deerskins, dressed and undressed" and "Pigskins, dressed or undressed" in the list of goods the exportation of which is prohibited to all destinations abroad other than British Possessions and Protectorates should be deleted, and there be inserted in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal, the heading "Deerskins and pigskins, undressed or dressed."
- (7) That the heading "Salts of aluminium (other than alunite and nitrate of aluminium)" in the list of goods the exportation

of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal, should be deleted, and there be substituted therefor the heading "Salts of aluminium (other than alunite, ammonium, alum and nitrate of aluminium, the exportation of which is already prohibited to all destinations abroad other than British Possessions and Protectorates)."

- (8) That the exportation of the following goods should be prohibited to all destinations abroad other than British Possessions and Protectorates :—

Leather belting, hydraulic leather, pump leather, and picking bands;
Stearine pitch and other pitches derived from fatty oils and acids.

- (9) That the exportation of the following goods should be prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal :—

Bookbinding leathers;
Borax, boric acid, and other boron compounds;
Chamois, glacé kid, morocco, persians, roans, and seal-leather;
Cocoanut, desiccated;
Leather suitable for textile machinery, except picking bands.

Now, THEREFORE, Their Lordships, having taken the said recommendation into consideration, are pleased to order, and it is hereby ordered that the same be approved.

Whereof the Commissioners of His Majesty's Customs and Excise, the Director of the War Trade Department, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

ALMERIC FITZROY.

[See Gazette of India, 1915, Part I, page 1980.]

PROCLAMATION DATED 14TH OCTOBER, 1915, REVISING LISTS OF CONTRABAND.

No. 39-W., dated the 6th November, 1915.—In supersession of the Department notifications in this Department Nos. 708-W., 3734-W., 9847-W. and of Commerce 14865-W., dated the 23rd January, 10th April, 26th June and 18th and Industry. September, 1915, respectively, the following Royal Proclamation is Customs.
published for general information :—

BY THE KING.

A Proclamation revising the List of Articles to be treated
as Contraband of War.

George R. I.

WHEREAS on the 23rd day of December, 1914, We did issue Our Royal Proclamation specifying the articles which it was Our intention

to treat as contraband during the continuance of hostilities or until We did give further public notice; and

Whereas on the 11th day of March, and on the 27th day of May, and on the 20th day of August, 1915, We did, by Our Royal Proclamations of those dates, make certain additions to the lists of articles to be treated as contraband of war; and

Whereas it is expedient to make certain further additions to and amendments in the said lists :

Now, THEREFORE, We do hereby declare, by and with the advice of Our Privy Council, that the lists of contraband contained in the Schedules to our Royal Proclamation of the 23rd day of December, as subsequently amended by Our Proclamations of the 11th day of March, and of the 27th day of May, and of the 20th day of August aforementioned, are hereby withdrawn, and that in lieu thereof, during the continuance of the war, or until We do give further public notice, the articles enumerated in Schedule I hereto will be treated as absolute contraband, and the articles enumerated in Schedule II hereto will be treated as conditional contraband.

Schedule I.

1. Arms of all kinds, including arms for sporting purposes, and their component parts.
2. Implements and apparatus designed exclusively for the manufacture of munitions of war, or for the manufacture or repair of arms or of war material for use on land or sea.
3. Lathes and other machines or machine tools capable of being employed in the manufacture of munitions of war.
4. Emery, corundum, natural and artificial (alundum), and carborundum, in all forms.
5. Projectiles, charges, and cartridges, of all kinds, and their component parts.
6. Paraffin wax.
7. Powder and explosives specially prepared for use in war.
8. Materials used in the manufacture of explosives, including :—
Nitric acid and nitrates of all kinds; sulphuric acid; fuming sulphuric acid (oleum); acetic acid and acetates; barium chlorate and perchlorate; calcium acetate, nitrate and carbide; potassium salts and caustic potash; ammonium salts and ammonia liquor; caustic soda, sodium chlorate and perchlorate; mercury; benzol, toluol, xylol, solvent naphtha, phenol (carbolic acid), cresol, naphthalene, and their mixtures and derivatives; aniline, and its derivatives; glycerine; acetone; acetic ether; ethyl alcohol; methyl alcohol; ether; sulphur; urea; cyanamide; celluloid.
9. Manganese dioxide; hydrochloric acid; bromine; phosphorus; carbon disulphide; arsenic and its compounds; chlorine; phosgene (carbonyl chloride); sulphur dioxide; prussiate of soda; sodium cyanide; iodine and its compounds.
10. Capsicum and peppers.

11. Gun mountings, limber boxes, limbers, military wagons, field forges, and their component parts ; articles of camp equipment and their component parts.

12. Barbed wire, and the implements for fixing and cutting the same.

13. Range-finders and their component parts ; searchlights and their component parts.

14. Clothing and equipment of a distinctively military character.

15. Saddle draught, and pack animals suitable or which may become suitable, for use in war.

16. All kinds of harness of a distinctively military character.

17. Hides of cattle, buffaloes, and horses ; skins of calves, pigs, sheep, goats and deer ; and leather, undressed or dressed, suitable for saddlery, harness, military boots, or military clothing ; leather belting, hydraulic leather, and pump leather.

18. Tanning substances of all kinds, including quebracho wood and extracts for use in tanning.

19. Wool, raw, combed or carded ; wool waste ; wool tops and noils ; woollen or worsted yarns ; animal hair of all kinds, and tops, noils and yarns of animal hair.

20. Raw cotton, linters, cotton waste, cotton yarns, cotton piece goods, and other cotton products capable of being used in the manufacture of explosives.

21. Flax ; hemp ramie ; kapok.

22. Warships, including boats and their component parts of such a nature that they can only be used on a vessel of war.

23. Submarine sound-signalling apparatus.

24. Armour plates.

25. Aircraft of all kinds, including aeroplanes, airships, balloons and their component parts together with accessories and articles suitable for use in connection with aircraft.

26. Motor vehicles of all kinds and their component parts.

27. Tyres for motor vehicles and for cycles, together with articles or materials especially adapted for use in the manufacture or of repair tyres.

28. Mineral oils, including benzine and motor spirit.

29. Resinous products, camphor and turpentine (oil and spirit) ; wood tar and wood-tar oil.

30. Rubber (including raw, waste, and reclaimed rubber, solutions and jellies containing rubber, or any other preparations containing rubber, balata, and gutta-percha, and the following varieties of rubber, *viz.* :—Borneo, Guayule, Jelutong, Palembang, Pontianac, and all other substances containing caoutchouc), and goods made wholly or partly of rubber.

31. Rattans.

32. Lubricants.

33. The following metals:—Tungsten, molybdenum, vanadium, sodium, nickel, selenium cobalt, hæmatite pig-iron, manganese, electrolytic iron, and steel containing tungsten or molybdenum.

34. Asbestos.

35. Aluminium, alumina, and salts of aluminium.

36. Antimony, together with the sulphides and oxides of antimony.

37. Copper, unwrought and part wrought; copper wire; alloys and compounds of copper.

38. Lead, pig, sheet, or pipe.

39. Tin, chloride of tin, and tin ore.

40. Ferro alloys, including ferro-tungsten, ferro-molybdenum, ferro-manganese, ferro-vanadium and ferro-chrome.

41. The following ores:—Wolframite, scheelite, molybdenite, manganese ore, nickel ore, chrome ore, hæmatite iron ore, iron pyrites, copper pyrites and other copper ores, zinc ore, lead ore, arsenical ore, and bauxite.

42. Maps and plans of any place within the territory of any belligerent, or within the area of military operations, on a scale of 4 miles to 1 inch or any larger scale, and reproductions on any scale, by photography or otherwise, of such maps or plans.

Schedule II.

1. Foodstuffs.

2. Forage and feeding stuffs for animals.

3. Oleaginous seeds, nuts and kernels.

4. Animal, fish, and vegetable oils and fats, other than those capable of use as lubricants, and not including essential oils.

5. Fuel, other than mineral oils.

6. Powder and explosives not specially prepared for use in war.

7. Horse shoes and shoeing materials.

8. Harness and saddlery.

9. The following articles, if suitable for use in war:—Clothing fabrics for clothings, skins and furs utilisable for clothing, boots and shoes.

10. Vehicles of all kinds, other than motor vehicles, available for use in war, and their component parts.

11. Railway materials, both fixed and rolling stock, and materials for telegraphs, wireless telegraphs, and telephones.

12. Vessels, craft, and boats of all kinds; floating docks and their component parts; parts of docks.

13. Field glasses, telescopes, chronometers, and all kinds of nautical instruments.

14. Gold and silver in coin or bullion; paper money.

Given at our Court at Buckingham Palace, this fourteenth day of October, in the year of our Lord one thousand nine hundred and fifteen, and in the sixth year of Our Reign.

GOD SAVE THE KING.

[See Gazette of India, 1915, Part I, page 1932.]

ORDER IN COUNCIL DATED 19TH OCTOBER, 1915, FURTHER
AMENDING PROCLAMATION OF THE 28TH JULY, 1915.

No. 205-W., dated the 13th November, 1915.—The following Order in Council is published for general information:—

Department
of Commerce
and Industry.
Customs.

At the Council Chamber, Whitehall,

The 19th day of October, 1915.

BY THE LORDS OF HIS MAJESTY'S MOST HONOURABLE PRIVY COUNCIL.

WHEREAS it is provided by Section 2 of the Customs (Exportation Prohibition) Act, 1914, that any Proclamation or Order in Council made under Section 8 of the Customs and Inland Revenue Act, 1879, as amended by the Act now in recital, may, whilst a state of war exists, be varied or added to by an Order made by the Lords of the Council on the recommendation of the Board of Trade.

And whereas it is provided by Section 2 of the Customs (Exportation Restriction) Act, 1914, that any Proclamation made under Section 1 of the Exportation of Arms Act, 1900, may, whether the Proclamation was made before or after the passing of the Act now in recital, be varied or added to, whilst a state of war exists, by an Order made by the Lords of the Council on the recommendation of the Board of Trade:

And whereas by a Proclamation, dated the 28th day of July, 1915, and made under Section 8 of the Customs and Inland Revenue Act, 1879, and Section 1 of the Exportation of Arms Act, 1900, and Section 1 of the Customs (Exportation Prohibition) Act, 1914, the exportation from the United Kingdom of certain articles to certain or all destinations was prohibited:

And whereas by subsequent Orders of Council the said Proclamation was amended and added to in certain particulars:

And whereas there was this day read at the Board a recommendation from the Board of Trade to the following effect:—

That the Proclamation, dated the 28th day of July, 1915, as amended and added to by subsequent Orders of Council should be further amended by making the following amendments in and additions to the same:—

- (1) That the headings "Cotton yarn and thread" and "Cotton fabric, suitable for aircraft" in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other

than France, Russia (except through Baltic ports), Italy, Spain and Portugal, should be deleted, and there be substituted therefor the heading "all manufactures and products of cotton, except cotton lace and cotton waste."

- (2) That the heading "Coal, all kinds, and coke but not including coal allowed by the Commissioners of Customs and Excise to be shipped as bunker coal" in the list of goods the exportation of which is prohibited to all destinations abroad other than British Possessions and Protectorates should be deleted, and there be substituted therefor the heading "Coal, all kinds, and coke made in gas works, but not including coal allowed by the Commissioners of Customs and Excise to be shipped as bunker coal."
- (3) That the heading "Grindstones, carborundum wheels, and emery wheels" in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal, should be deleted, and there be substituted therefor the headings "Grindstones" and "Emery, corundum, natural or artificial (such as alundum), carborundum and crystolon, and manufactures thereof (including wheels, discs, paper, cloth, stones, and powder)."
- (4) That the exportation of the following goods, which is at present prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal should be prohibited to all destinations abroad other than British Possessions and Protectorates:—
 - Chronometers and all kinds of nautical instruments ;
 - Compasses for ships, and parts thereof, including fittings such as binnales ;
 - Hair, animal, of all kinds, and tops, noils and yarns of animal hair.
- (5) That the exportation of the following goods should be prohibited to all destinations:—
 - Acetic ether ;
 - Ether ;
 - Phosgene (carbonyl chloride) ;
 - Platinum.
- (6) That the exportation of the following goods should be prohibited to all destinations abroad other than British Possessions and Protectorates:—
 - Copper wire, insulated, electric light wires and cables, and power cables.
- (7) That the exportation of the following goods should be prohibited to all foreign countries in Europe and on the Mediterranean

and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal:—

Arsenical ore ;

Black plates, and black sheets under one-eighth inch in thickness ;

Furs, dressed or undressed, and manufactures thereof ;

Ramie.

Now, therefore, Their Lordships, having taken the said recommendation into consideration, are pleased to order, and it is hereby ordered that the same be approved.

Whereof the Commissioners of His Majesty's Customs and Excise, the Director of the War Trade Department, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

J. C. LEDLIE.

[See Gazette of India, 1915, Part I, page 1999.]

PROCLAMATION DATED 16TH OCTOBER, 1915, RELATING TO BULGARIA.

No. 2226-W., dated the 19th November, 1915.—The following Royal Proclamation published in the London Gazette, dated the 16th October, 1915, is republished for general information and guidance :—

Foreign and
Political
Department.

BY THE KING.

A proclamation extending to the war with Bulgaria the Proclamations and Orders in Council now in force relating to the war.

George R. I.

Whereas, owing to the King of the Bulgarians, an Ally of the Central Powers, being now in a state of war with the King of Serbia, Our Ally, a state of war now exists between Us and the King of the Bulgarians ;

And whereas on the 4th day of August, 1914, a state of war came into existence between Us and the German Emperor ;

And whereas We did on the same date and on certain other dates subsequent thereto issue certain Proclamations and Orders in Council connected with such state of war ;

And whereas, on the 12th day of August, 1914, a state of war came into existence between Us and the Emperor of Austria, King of Hungary :

And whereas certain of the aforesaid Proclamations and Orders in Council have since been extended so as to cover the state of war between Us and the Emperor of Austria, King of Hungary ;

And whereas on the 5th day of November, 1914, a state of war came into existence between Us and the Sultan of Turkey ;

And whereas certain of the aforesaid Proclamations and Orders in Council have since been extended so as to cover the state of war between Us and the Sultan of Turkey ;

And whereas We have since the said 5th day of November, 1914, issued certain other Proclamations and Orders in Council with reference to the state of war between Us and the German Emperor, the Emperor of Austria, King of Hungary, and the Sultan of Turkey;

And whereas it is desirable now to provide for the state of war between Us and the King of the Bulgarians;

And whereas the Convention relating to the status of enemy merchant vessels at the outbreak of hostilities, signed at the Hague on the 18th day of October, 1907, has not been ratified by the King of the Bulgarians, and therefore We do not think fit to extend to Bulgarian ships the Order in Council issued on the 4th day of August, 1914, with reference to the departure from Our ports of enemy vessels, which at the outbreak of hostilities were in any such port or which subsequently entered the same;

Now, therefore, We have thought fit, by and with the advice of Our Privy Council, to issue this Our Royal Proclamation declaring, and it is hereby declared, as follows:—

1. The Proclamations and Orders in Council issued with reference to the state of war between Us and the German Emperor, or with reference to the state of war between Us and the German Emperor and the Emperor of Austria, King of Hungary, or with reference to the state of war between Us and the German Emperor, the Emperor of Austria, King of Hungary, and the Sultan of Turkey, other than the Order in Council issued on the 4th day of August, 1914, with reference to the departure from Our ports of enemy vessels, which at the outbreak of hostilities were in any such ports, or which subsequently entered the same, shall, if still in force, apply to the state of war between Us and the King of the Bulgarians as from this 16th day of October, 1915.

2. The Proclamation issued on the 5th day of August, 1914, warning all Our subjects, and all persons resident or being in Our Dominions, from contributing to or participating in, or assisting in the floating of, any loan raised on behalf of the German Government, or from advancing money to or entering into any contract or dealings whatsoever with the said Government, or otherwise aiding, abetting, or assisting the said Government, shall be deemed as from this 16th day of October, 1915, to apply to all loans raised on behalf of, or contracts or dealings entered into with, or to aiding, abetting or assisting the Bulgarian Government.

3. The words "enemy country" in any of the Proclamations or Orders in Council referred to in Article 1 of this Proclamation shall include the Dominions of the King of the Bulgarians, and the words "persons of enemy nationality" in any of the said Proclamations or Orders in Council shall include subjects of the King of the Bulgarians.

Given at Our Court at *Buckingham Palace*, this sixteenth day of *October*, in the year of our Lord one thousand nine hundred and fifteen, and in the sixth year of Our Reign.

GOD SAVE THE KING.

[See Gazette of India, 1915, Part I, page 2014.]

Part V.

NOTIFICATIONS AND ORDERS UNDER ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

NOTIFICATIONS UNDER THE FOREIGNERS

ACT, 1864 (III of 1864).

No. 577, dated the 8th August, 1914.—Whereas the Governor General in Council considers it necessary to take further precautions in respect of foreigners residing in or travelling in British India; Home Department.

Now, therefore, in exercise of the powers conferred by section 5 of the Foreigners Act, 1864 (III of 1864), the Governor General in Council is pleased to order that the provisions of section 5 and of all the subsequent sections of the said Act shall, for a period of six months from the date of this notification, be in force in British India, including British Baluchistan, the Sonthal Parganas and the District of Angul.

[See Gazette of India, 1914, Part I, page 1329.]

No. 578, dated the 8th August, 1914.—In exercise of the powers conferred by section 25 of the Foreigners Act, 1864 (III of 1864), the Governor General in Council is pleased to exempt— Home Department.

- (a) from the provisions of section 5 and all the subsequent sections of the said Act, all foreigners being Asiatics [*other than Asiatic subjects of the Ottoman Empire], and
- (b) from the provisions of sections 10 to 19 of the said Act, all non-Asiatic foreigners not being of [German, Austrian or Bulgarian†] nationality, [*or European subjects of the Ottoman Empire].

[See Gazette of India, 1915, Part I, page 1329.]

No. 473, dated the 5th February, 1915.—In exercise of the powers conferred by section 5 of the Foreigners' Act, 1864 (III of 1864), and in continuation of the Home Department notification No. 577, dated the 8th August, 1914, the Governor General in Council is pleased to declare that the provisions of section 5 and of all subsequent sections of the said Act shall remain in force in British India, including British Baluchistan, the Sonthal Parganas and the District of Angul during the continuance of the present war. Home Department.

[See Gazette of India, 1915, Part I, page 229.]

* These words in clauses (a) & (b) were added by Notification No. 68-C., dated 4th November, 1914.—See Gazette of India, 1914, Part I, page 1905.

† Substituted by Notification No. 3527, dated 18th October, 1915. See Gazette of India, 1915, Part I, page 1930.

NOTIFICATIONS UNDER THE INDIAN VOLUNTEERS ACT, 1869 (XX OF 1869).

Army
Department.

No. 702, dated the 5th August, 1914.—In pursuance of the provisions of section 27 (1) of the Indian Volunteers Act, 1869 (XX of 1869), the Governor General in Council is pleased to declare that by reason of the state of war now existing between certain foreign powers an emergency has arisen in which the Governor General in Council may under the said section call out any corps or any portion of any corps of volunteers for actual military service.

[See Gazette of India, 1914, Part I, page 1309.]

NOTIFICATIONS UNDER THE COURT FEES ACT, 1870 (VII OF 1870).

Finance
Department.

No. 120-F, dated the 14th January, 1915.—In exercise of the powers conferred by section 35 of the Court Fees Act, 1870 (VII of 1870), the Governor General in Council is pleased to make in the whole of British India the remissions hereinafter set forth in the fees leviable under Articles 11, 12 and 12 A of the first schedule of the said Act, on the property of any person subject to military law either under the Army Act (44 & 45 Vict., c. 58) or under the Indian Army Act, 1911 (VIII of 1911), who is killed or dies of wounds inflicted, accident occurring or disease contracted within twelve months before death, while on active service in the present war, namely:—

- (a) where the amount or value of property in respect of which the grant of probate or letters of administration is made or which is specified in the certificate under the Succession Certificate Act, 1889, or in the certificate under Bombay Regulation No. 8 of 1827, does not exceed Rs. 5,000, to remit the whole of the fees leviable in respect of that property;
- (b) where the said amount or value exceeds Rs. 5,000, to remit the whole of the said fees in respect of the first Rs. 5,000; and
- (c) where any property passes more than once in consequence of such deaths, to remit, in the case of second and subsequent successions, the whole of the said fees irrespective of the value or amount of such property.

[See Gazette of India, 1915, Part I, page 160.]

Finance
Department.

No. 371-F, dated the 25th February, 1915.—In exercise of the powers conferred by section 35 of the Court Fees Act, 1870 (VII of 1870), the Governor General in Council is pleased to remit, in the whole of British India, the fees chargeable under Article 1 (a) and (b) of Schedule II of the said Act on applications for mutation of names in respect of the property of any person subject to military law either under the Army Act (44 & 45 Vict., c. 58) or under the Indian Army Act,

1911 (VIII of 1911), who is killed or dies of wounds inflicted, accident occurring or disease contracted within twelve months before death, while on active service in the present war.

[See Gazette of India, 1915, Part I, page 350.]

No. 1178-I.B., dated the 18th June, 1915.—In exercise of the powers conferred by section 35 of the Court Fees Act, 1870 (VII of 1870), as applied to or as in force in the areas specified in the Schedule hereto annexed, the Governor General in Council is pleased to make in the said areas the remissions hereinafter set forth in the fees leviable under Articles 11, 12 and 12-A of the first Schedule of the said Act, as so applied or as in force, on the property of any person subject to military law either under the Army Act (44 and 45 Vict., c. 58) or under the Indian Army Act, 1911 (VIII of 1911), who is killed or dies of wounds inflicted, accident occurring or disease contracted within twelve months before death, while on active service in the present war, namely :—

- (a) Where the amount or value of property in respect of which the grant of probate or letters of administration is made or which is specified in the certificate under the Succession Certificate Act, 1889, as applied or as in force does not exceed Rs. 5,000, to remit the whole of the fees leviable in respect of that property ;
- (b) where the said amount or value exceeds Rs. 5,000, to remit the whole of the said fees in respect of the first Rs. 5,000 ; and
- (c) where any property passes more than once in consequence of such deaths, to remit in the case of second and subsequent successions the whole of the said fees irrespective of the value or amount of such property.

2. The Governor General in Council is further pleased, in exercise of the same powers to remit in the said areas the fees chargeable under Article 1 (a) and (b) of the second Schedule of the said Act, on applications for mutation of names in respect of the property of any such person.

Schedule.

1. The Railway lands described in the Notification of the Government of India in the Foreign Department, No. 784-I. B., dated the 9th April, 1913, as subsequently amended, and in the first and second columns of the schedule annexed thereto.

2. The Baroda Cantonment.

3. The Administered Areas in Central India, as described in the Notification of the Government of India in the Foreign Department, No. 2365-I.B., dated the 14th November, 1912.

4. The Administered Areas in the Hyderabad State as described in the Notification of the Government of India in the Foreign Department, No. 582-I. B., dated the 22nd March, 1913.

5. The Civil and Military Station of Bangalore.

6. The Abu area, as described in the Notification of the Government of India in the Foreign Department, No. 679-I. B., dated the 2nd April, 1913.

7. The British Reserve, Manipur, as defined in the Notification of the Government of India in the Foreign Department, No. 533-I. B., dated the 12th March, 1909.

8. Berar.

[See Gazette of India, 1915, Part I, page 788.]

NOTIFICATIONS UNDER THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Department
of Commerce
and Industry.

No. 25-W., dated the 17th October, 1914.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, and in supersession of the Notifications of the Government of India in this Department Nos. 6722 and 6788, dated the 5th August, 1914, and Nos. 7104 and 7991, dated the 10th and 29th August, 1914, respectively, the Governor General in Council is pleased to prohibit or restrict the taking out of British India by sea or by land of the classes of goods specified in column I of the annexed schedule subject to the exceptions specified in column II thereof :

Provided that nothing in this notification shall apply to :—

- (i) Goods shipped by or for the use of the Crown ;
- (ii) Goods shipped to any Indian port ;
- (iii) Goods required for use or consumption in—
 - (a) French or Portuguese possessions in India ;
 - (b) Native States in India.
 - (c) Ceylon ; or
 - (d) The Straits Settlements ;
- (iv) Goods shipped for use or consumption during voyage.

Schedule.

Column I. Prohibited goods.	Column II. Exceptions.
Ammunition and explosives, and the materials used in their manufacture [* other than saltpetre]; Arms, guns and gun mountings of all descriptions, with their component parts ; Accoutrements ; Armour plates ; Balloons, kites, air-ships and aeroplanes, including parts thereof ; Benzine and petrol ;	Except to the United Kingdom or to a British possession.

* Inserted by Notification No. 14956-56, dated 20th September, 1915. See Gazette of India, Part I, page 1837.

Schedule—contd.

Column I. Prohibited goods.	Column II. Exceptions.
Bullocks ;	Except exports by land.
Camels ;	Except exports by land.
Coal, Welsh ;	Except in quantities sufficient for bunker requirements.
*Chrome iron ore (Chromito)	Except to the United Kingdom.
†Dyes and dyestuffs, manufactured from coal tar products ;	
Entrenching tools ;	
Fuses and detonators ;	
Heliographs, signal flags, and naval and military signalling apparatus of all descriptions, including wireless telegraphy apparatus ;	
Horses ;	Except exports by land.
Leather (hides tanned—buffalo and cow) ;	Except to the United Kingdom.
‡Paraffin wax	Except to the United Kingdom or to a British Possession.
Lead, pig ;	Except to the United Kingdom.
§Manganese ore ;	* * * * *
Marine boilers and engines, including any parts thereof ;	
Materials used in ship construction ;	Except 'Teak' to the United Kingdom.
Medical and surgical stores and equipment of every description ; ¶ [other than (1) Nux Vomica, (2) Castor Seed, Mustard Seed, linseed and oils extracted therefrom.] ¹ [(3) Senna, Magnesium Sulphate, Ajowan seed, Chiretta roots, Euphorbia Pilulifera, Fennel seed, will seed and Gums ;]	² [Except exports by land ; exports of Cinchona bark to the United Kingdom ; and exports of Sandalwood and Colombo (Calumba) roots to the United Kingdom or a British Possession, France, ³ [Italy] and the United States of America.]

* Inserted by Notification No. 2523-W., dated 13th March, 1915. See Gazette of India, 1915, Part I, page 434.

† Inserted by Notification No. 13879-W., dated 21st August, 1915. See Gazette of India, 1915, Part I, page 1152.

‡ Inserted by Notification No. 2607-W., dated 13th March, 1915. See Gazette of India, 1915, Part I, page 435.

§ Inserted by Notification No. 8395-W., dated 12th June, 1915. See Gazette of India, 1915, Part I, page 773. The words "Except to the United Kingdom and France" in Column II were omitted by Notification No. 9911-W., dated 26th June, 1915. See Gazette of India, 1915, Part I, page 815.

¶ These words were added by Notification No. 2645-W., dated 13th March, 1915. See Gazette of India, 1915, Part I, page 435.

¹ These words were added by Notification No. 6600-W., dated 15th May, 1915. See Gazette of India, 1915, Part I, page 675.

² For substitution of these words, see *ibid.*

³ Inserted by Notification No. 12202-W., dated 24th July, 1915. See Gazette of India, 1915, Part I, page 949.

Schedule--concl'd.

Column I. Prohibited goods.	Column II. Exceptions.
Mining cables ; Mules ; Naval and Military Stores of every description, including tents, uniform, boots, shoes, harness and other equipment. Railway material and material for telegraphs and telephones, barbed wire and implements for fixing and cutting the same ; Range-finders ; Slaughter cattle ; Searchlight apparatus ; Sheep and goats ; Submarine mines and torpedoes ; Torpedo net defence and parts thereof ; Veterinary instruments and appliances ; Veterinary medicines ; *Wolfram and Tungsten or any Tungsten ore ; .	Except exports by land. Except 'Teak' to the United Kingdom. Except exports by land. Except exports by land. Except to the United King- dom.

[See Gazette of India, 1914, Part I, page 1679.]

Department
of Commerce
and Industry.

No. 950-W., dated the 20th November, 1914.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of the Notification in this Department No. 735-W., dated the 10th November, 1914, the Governor General in Council is pleased to prohibit the taking of wool (raw) by sea or by land out of British India.

[See Gazette of India, 1914, Part I, page 1918.]

No. 2561-W., dated the 13th March, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the export of the undermentioned classes of goods to all [countries in Europe†] and on the Mediterranean and

* Inserted by Notification No. 8395-W., dated 12th June, 1915. See Gazette of India, 1915, Part I, page 773. The export of these articles is allowed under permit. See Notification No. 1639-I, dated 30th October, 1915, *infra*.

† Substituted by Notification No. 14513-W., dated 11th September, 1915. See Gazette of India, 1915, Part I, page 1786.

Black Seas, other than the United Kingdom, Russia (except the Baltic ports), Belgium, France, [Italy*] Spain and Portugal :—

Forage and food for animals,
namely :—

Beans (not including haricot
beans).

Brewers' and distillers' grains.

Brewers' dried yeast.

Buckwheat.

Cakes and meals, the follow-
ing, namely—

Biscuit meal;

Calf Meal ;

Cocoonut or poonac cake ;

Compound cakes and meal;

Cottonseed cake, decorti-
cated and undecorticat-

ed, and cottonseed meal ;

Fishmeal and concentrated
fish ;

Gluten meal or gluten
feed ;

Groundnut cake and meal;

Husk meal ;

Linseed cake and meal ;

Locust bean meal ;

Mahua or mhowra cake ;

Maize germ meal ;

Maize meal ;

Meat meal ;

Niger cake ;

Palmnut cake and meal ;

Poppyseed cake ;

Rapeseed cake and meal ;

Safflower cake ;

Sesamum cake ;

Soya bean cake and meal.

Dari.

Hay.

Hempseed.

Lentils.

Maize.

Malt dust, culms, sprouts or
comblings.

Millet.

Offals of corn and grain,
including :—

Bran and pollard.

Mill dust and screenings
of all kinds.

Rice meal (or bran) and
dust.

Sharps and middlings.

Patent and proprietary cattle
foods of all kinds.

Peas (except split, tinned and
bottled peas, packed in card-
board boxes and similar
receptacles).

Straw.

Oils, all vegetable (* * * * +
not including essential oils).

Oleaginous nuts, seeds and
products, the following,
namely :—

Castor beans.

Cocoonuts.

Copra.

Cottonseed.

Groundnuts (Arachides).

Linseed.

Mahua or mhowra seed.

Niger seed.

Palm kernels.

Poppy seed.

Rape seed.

Safflower seed.

Sesamum seed.

Soya beans.

[See Gazette of India, 1915, Part I, page 434.]

No. 3195-W., dated the 25th March, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in

Department
of Commerce
and Industry.

* Inserted by Notification No. 12202-W., dated 24th July, 1915, See Gazette of India, 1915, Part I, page 949.

† Omitted by Notification No. 10480-W., dated 3rd July 1915, See Gazette of India, 1915, Part I, page 854.

Council is pleased to prohibit on and from the 1st of April, 1915, up to and including the 31st of March, 1916, the taking by sea of wheat out of British India :

Provided that nothing in this notification shall apply to wheat shipped by or on behalf of the Crown.

[See Gazette of India, 1915, Part I, page 479.]

Department
of Commerce
and Industry.

No. 3196-W., dated the 25th March, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to direct that on and from the 1st April, 1915, up to and including the 31st of March, 1916, no wheat flour shall be taken out of British India unless a permit in this behalf signed by the Chief Customs Officer is produced to the Customs Collector at the port of export in respect of such wheat flour, and such wheat flour is shipped in accordance with the terms of such permit.

[See Gazette of India, 1915, Part I, page 479.]

No. 4384-W., dated the 24th April, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the export of guts and bladders to Scandinavian countries, Holland,* and Switzerland.

[See Gazette of India, 1915, Part I, page 610.]

No. 7050-W., dated the 22nd May, 1915.—In supersession of the Notification in the Department of Commerce and Industry, No. 1670-W., dated 9th December, 1914, and in exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to direct that no goods shall be taken either by sea or by land out of British India †[to Siam, China, Persia, Morocco and] to any foreign place in Europe or on the Mediterranean * * *,‡ with the exception of the United Kingdom, Russia and France, unless declarations of Ultimate Destination, in the form prescribed in the annexed Schedule and signed by the actual exporter or by some responsible representative of the actual exporter (or in the case of a limited Company by a Director, Secretary, Manager or other responsible officer) having a personal and first-hand knowledge of the inquiries made and of the fact stated in the declaration, are presented to the Customs Collector at the port of export in respect of such goods, wares or merchandise :

* The word "Italy" was omitted by Notification No. 12202-W., dated 24th July, 1915. See Gazette of India, 1915, Part I, page 949.

† Inserted by Notification No. 15334-W., dated 2nd October, 1915. See Gazette of India, Part I, page 1874.

‡ Omitted by Notification No. 9195-W., dated 19th June, 1915. See Gazette of India, Part I, page 792.

Provided that a single Declaration may be used to cover any number of consignments by the same exporter from the same port by the same ship at the same time :

Provided further that nothing in this notification shall apply to :—

- (a) Goods exported under a general or special licence granted by the Governor General in pursuance of the Trading with the Enemy Proclamation No. 2, as amended by the Proclamation of the 8th October, 1914 ; and
- (b) Goods in respect of which shipping bills have been accepted before the 15th December, 1914.

FORM OF DECLARATION.

I, _____ of _____ do solemnly and sincerely declare as follows :—
I have made all necessary inquiries in order to satisfy myself as to the ultimate destination of the goods, particulars of which are set out in the Schedule below, to be exported by me or on my behalf on board _____ to _____, and consigned to _____ of _____, and do hereby declare that to the best of my knowledge and belief none of such goods are intended for consumption in or for transit through any State at present at war with His Majesty, and I make this declaration conscientiously believing the same to be true.

Schedule.

Number and description of cases.	Marks.	Numbers.	Weight or Quantity.	Total Value.	Contents.

Dated

(Signature of Declarant.)

This _____ day of _____

[See Gazette of India, 1915, Part I, page 691.]

No. 7051-W., dated the 22nd May, 1915.—In supersession of the notification in the Department of Commerce and Industry, No. 5453-W., dated 8th May, 1915, and in exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act VII of 1914, the Governor General in Council is pleased to prohibit the Department of Commerce and Industry. Customs.

export of lacs of all kinds including shellac, gum lac, stick lac, but not lac dye, to all [*countries in Europe] and on the Mediterranean and Black Seas other than the United Kingdom, France, [Italy†] Russia (except Baltic ports), Spain and Portugal :—

Provided that nothing in this notification shall apply to :—

- (i) Goods shipped by, or for the use of, the Crown ;
- (ii) Goods shipped to any Indian port ;
- (iii) Goods required for use or consumption in—
 - (a) French or Portuguese possessions in India,•
 - (b) Native States in India,
 - (c) Ceylon, or
 - (d) The Straits Settlements ;
- (iv) Goods shipped for use or consumption during voyage.

[See Gazette of India, 1915, Part I, page 692.]

Department
of Commerce
and Industry.

No. 7052-W., dated the 22nd May, 1915.—In supersession of the notification in the Department of Commerce and Industry, No. 5863-W., dated 8th May, 1915, and in exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the export of raw cotton to all [countries in Europe*] and on the Mediterranean and Black Seas other than the United Kingdom, France, [Italy†] Russia (except Baltic ports), Spain and Portugal :—

Provided that nothing in this notification shall apply to :—

- (i) Goods shipped by, or for the use of, the Crown ;
- (ii) Goods shipped to any Indian Port ;
- (iii) Goods required for use or consumption in—
 - (a) French or Portuguese possessions in India,
 - (b) Native States in India,
 - (c) Ceylon, or
 - (d) The Straits Settlements ;
- (iv) Goods shipped for use or consumption during voyage.

[See Gazette of India, 1915, Part I, page 692.]

Department
of Commerce
and Industry.

No. 9175-W., dated the 19th June, 1915.—In supersession of the notification in the Department of Commerce and Industry, No. 1669-W., dated the 9th December, 1914, as subsequently amended, and in exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor

* Substituted by Notification No. 14513-W., dated 11th September, 1915. See Gazette of India, 1915, Part I, page 1786.

† Inserted by Notification No. 12202-W., dated 24th July, 1915. See Gazette of India, 1915, Part I, page 949.

General in Council is pleased to prohibit the bringing, by sea or by land, into British India of all goods, from Norway, Sweden, Denmark, Holland, Switzerland and Italy, unless Certificates of Origin in the form prescribed in the annexed Schedule are presented to the Customs Collector at the port of import in respect of such goods, wares or merchandise :

Provided that nothing in this notification shall apply to —

- (a) goods imported under a general or special license granted by the Governor General in pursuance of the Trading with the Enemy Proclamation No. 2 as amended by the Proclamation of the 8th October, 1914;
- (b) goods shipped for India on or before the 21st December, 1914;
- (c) the *bond fide* personal and household effects of persons entering the country;
- (d) goods imported from an allied country by way of a neutral country on a through bill of lading or by through postal parcel, or in respect of goods of enemy origin imported under license;
- ¹ (e) imports of alabaster, bulbs, carbide of calcium, codliver oil, coral (raw), curbstone, cyanide of calcium, flax, flax seed, food-stuffs ² (other than (i) sugar and (ii) spirits), granite, granite setts for paving, ice, iron ore, marble, pavement slates, paving slates, paving stones, quicksilver, sienna-earth, slatestone, strawboard, sulphur, tar, timber of any kind (including pit-props, and wood hoops for making casks), mechanical wood pulp (excluding cellulose); and
- ³ (f) postal parcels addressed to Government departments in India.

Provided also that the Collector of Customs may, at his discretion and if he sees no reason for suspecting that the goods have emanated from an enemy territory, allow delivery of any goods, wares or merchandise imported from the above-mentioned countries, even if unaccompanied by Certificates of Origin and not covered by the first proviso to this notification, on the importer furnishing him with a deposit or bond to the amount of three times the value of the goods to ensure the production of the necessary certificates within a prescribed period.

FORM OF CERTIFICATE OF ORIGIN.

I, _____, hereby certify that Mr. _____ (Producer, Manufacturer, Merchant, Trader, etc.) residing at _____ in this town has

¹ Substituted by Notification No. 14577-W., dated 11th September, 1915. See Gazette of India, 1915, Part I, page 1787.

² Substituted by Notification No. 126-W., dated 13th November, 1915. See Gazette of India, 1915, Part I, page 1998.

³ Inserted by Notification No. 75-W., dated 13th November, 1915. See Gazette of India, 1915, Part I, page 1998.

declared before me that the merchandise designated below, which is to be shipped from this town _____, consigned to (a) _____ (Merchant Manufacturer, etc.) in India, has not been produced or manufactured in enemy territory, and has produced to my satisfaction invoices or other trustworthy documents in proof thereof.

Number and description of cases.	Marks and Numbers.	Weight or quantity.	Total value. (b)	Contents.	Name and address of Producer or Manufacturer. (c)

This certificate is valid only for a period of not more than _____ from
the date hereof.

(Signature of person declaring.) (Signature of Consular Authority
issuing Certificate, and date.)

- (a) If desired the word "order" may be inserted here instead of the name of the purchaser in India.
- (b) This column may be left blank if desired.
- (c) This column may be left blank at the request of the declarant, but the name and address of the producer or manufacturer must be inserted in a separate document issued at the same time by the Consular Officer, which will only be inspected by the Customs Authorities.

[See Gazette of India, 1915, Part 1, page 791.]

No. 9222, dated the 19th June, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), and Industry, as amended by Act XII of 1914, the Governor General in Council is

pleased to prohibit the taking of manurial mixtures containing saltpetre by sea or by land out of British India* "except—

1. Printed matter of all descriptions.
2. Empty receptacles returned to the Netherlands.
3. Worn clothing and other personal effects.
4. Live animals other than animals ordinarily used for human food."

[See Gazette of India, 1915, Part I, pag. 792.]

No. 10625-W., dated the 5th July, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the export of all goods to Holland, Department of Commerce and Industry.

[See Gazette of India, 1915, Part I, pag. 865.]

No. 11626-W., dated the 17th July, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the export of cotton yarn and thread, gums, resins, balsams and resinous substances of all kinds, to all (countries in Europe) † and on the Mediterranean and Black Seas other than the United Kingdom, France, [Italy, ‡] Russia (except Baltic ports), Spain and Portugal : Department of Commerce and Industry.

Provided that nothing in this Notification shall apply to :—

- (i) Goods shipped by, or for the use of, the Crown ;
- (ii) Goods shipped for use or consumption during voyage.

[See Gazette of India, 1915, Part I, page 917.]

No. 12174-W., dated the 24th July, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the export of rattans and bamboos to all (countries in Europe§) and on the Mediterranean and Black Seas other than the United Kingdom, France, Italy, Russia (except the Baltic ports), Spain and Portugal : Department of Commerce and Industry.

Provided that nothing in this Notification shall apply to :—

- (i) Goods shipped by, or for the use of, the Crown ; and
- (ii) Goods shipped for use during voyage.

[See Gazette of India, 1915, Part I, page 943.]

† Substituted by Notification No. 14513-W., dated 11th September, 1915. See Gazette of India, 1915, Part I, page 1786.

‡ Inserted by Notification No. 12202-W., dated 24th July, 1915. See Gazette of India, 1915, Part I, page 949.

§ Substituted by Notification No. 14513-W., dated 11th September, 1915.

* Inserted by Notification No. 175-W., dated 13th November, 1915. See Gazette of India, Part I, 1915, pages 1998-99.

Department
of Commerce
and Industry.

No. 13467-W., dated the 14th August, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India of all goods, wares or merchandise from the United Kingdom which had previously been imported into that country from Norway, Sweden, Denmark, Holland, Switzerland and Italy, unless copies of the "Specification for Foreign and Colonial Merchandise" (Form 30) or the "Shipping Bill" (Form 64), as the case may be, in the forms prescribed by the Board of Trade and reproduced in the annexed Schedule, duty certified by the Customs authorities in the United Kingdom, are presented to the Customs Collector at the port of import in respect of such goods, wares or merchandise.

Provided that nothing in this notification shall apply to :—

- (a) goods imported under a general or special license granted by the Governor General in pursuance of the Trading with the Enemy Proclamation, No. 2, as amended by the Proclamation of the 8th October, 1914 ;
- (b) goods shipped for India before the 7th July, 1915 ;
- (c) the *bona fide* personal and household effects of persons entering the country ;
- (d) goods imported from an allied country by way of a neutral country on a through bill of lading or by through postal parcel, or in respect of goods of enemy origin imported under license ;
- (e) imports of alabaster, carbide of calcium, eodliver oil, curbstone, cyanide of calcium, flax, flaxseed, food-stuffs (other than sugar), granite, granite setts for paving, ice, iron ore, marble, pavement slates, paving slates, paving stones, sienna-earth, slatestone, strawboard, tar, timber of any kind (including pit-props), mechanical wood-pulp (excluding cellulose) ; and
- ¹(f) goods imported through the parcel post from the United Kingdom.

Provided also that the Collector of Customs may, at his discretion and if he sees no reason for suspecting that the goods have emanated from an enemy territory, allow delivery of any goods, wares or merchandise exported from the United Kingdom after having been imported into that country from the other European countries specified above, even if unaccompanied by certified copies of the documents above prescribed, and not covered by the first proviso to this notification, on the importer furnishing him with a deposit or bond to the amount of three times the value of the goods to ensure the production of the necessary documents within a prescribed period.

¹ Inserted by Notification No. 212-W., dated 13th November, 1915. See Gazette of India, 1915, Part I, page 2000.

No. 64 (Sale).

SHIPPING BILL FOR ^{*DRY} WET GOODS AS
MERCHANDISE.H. M. Customs
and Excise.* Erase
the words
that do
not apply.

Under Bond.

Port of Collection	Station No.
District	Month and Year 191
Station	
Export } Ship }	Master for
Entered Outwards	Bond given
Station	Lighterman
Conveyance	Carman
	Exporters or Agents.
	Address.

Shipping Marks and Numbers, and Final Destination.	Number of Pack- ages.	Description of Pack- ages.	Description of Goods.	Quantity.				Country whence goods were consigned when imported.	Rate of drawback (if any) claimed.	Value.
				Wet Goods.	Dry Goods.					
				Gallons, etc.	cwts.	qrs.	lbs.			
			N.B.—These goods must be produced to the Officer of Customs and Ex- cise at time of Shipment, and any Short-Shipment notified.							
Total										Officer. Date.

Officer.

Date.

_____ declare that the quantity, description, and value of the
goods entered in this Shipping Bill are correctly stated*
* Strike out words in italics further declare that the goods are of British Manufacture, and claim
if not required. Drawback on _____

Exporter or Agent.

Port _____
Date _____ 191

Received the above-mentioned pack- }
age on board this ship. } { Master, Mate, or
{ authorised person.
{ Countersignature of Officer
of Customs and Excise.

Particulars of Exami-
nation and Certificate of
Shipment to be insert-
ed here.

Export Officer.

N.B.—The Lightermen or Carmen are particularly required to give immediate notice to
the Export Officer if any of the above-mentioned Goods be shut out of the Vessel, and on no
account to take them to any other Ship than the one above-named without his permission.

Exportation Code, paragraphs 40 and 134.

Sec. No 5345
1915

[See Gazette of India, 1915, Part I, Page 1052.]

No. 14119-W., dated the 28th August, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the export of coffee to all countries in Europe and on the Mediterranean and Black Seas, other than the United Kingdom, France, Italy, Russia (except Baltic Ports), Spain and Portugal ;

Department
of Commerce
and Industry.

Provided that nothing in this Notification shall apply to :—

- (i) goods shipped by, or for the use of, the Crown ; and
- (ii) goods shipped for use during the voyage.

[See Gazette of India, 1915, Part I, page 1177.]

No. 14381-W., dated the 4th September, 1915.—In supersession of the Notification in the Department of Commerce and Industry, No. 10930-W., dated the 10th July, 1915, and in exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the export of hides and skins (raw) to all countries other than the United Kingdom, France, Italy, Russia (except Baltic ports) and British Possessions.

Department
of Commerce
and Industry.

[See Gazette of India, 1915, Part I, page 1731.]

No. 14511-W., dated the 11th September, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, and in supersession of the Notifications of the Government of India in this Department, No. 6101-W., dated the 15th May, 1915, as subsequently amended, No. 7113-W., dated the 22nd May, 1915, and No. 10373-W., dated the 3rd July, 1915, the Governor General in Council is pleased to prohibit the export of rice to the following destinations, viz. :—

Department
of Commerce
and Industry.
Customs.

- (i) Countries in Europe and on the Mediterranean and Black Seas, other than the United Kingdom, France, Italy, Russia (except Baltic ports), Portugal and Egypt ;
- (ii) Holland and her Colonies.

Provided that nothing in this Notification shall apply to :—

- (i) goods shipped by, or for the use of, the Crown ; and
- (ii) goods shipped for use during voyage.

[See Gazette of India, 1915, Part I, page 1786.]

No. 14874-W., dated the 18th September, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, and in supersession of the Notification of the Government of India in this Department

Department
of Commerce
and Industry.

No. 13416-W., dated the 14th August, 1915, the Governor General in Council is pleased to prohibit the export of monazite sand from British India except to the United Kingdom.

Provided that nothing in this Notification shall apply to goods shipped by or for the use of the Crown or to any Indian port.

[See Gazette of India, 1915, Part I, page 1807.]

Department
of Commerce
and Industry.
Salt.

No. 14953-55, dated the 20th September, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the taking of saltpetre by sea or by land out of British India to countries other than the United Kingdom.

[See Gazette of India, 1915, Part I, page 1836.]

Department
of Commerce
and Industry.
Customs.

No. 15040-W., dated the 25th September, 1915.—In exercise of the powers conferred by Section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the export of hemp and flax to all countries other than the United Kingdom and British Possessions.

[See Gazette of India, 1915, Part I, page 1837.]

Department
of Commerce
and Industry.
Customs.

No. 15127-W., dated the 25th September, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the export of coal (other than Welsh coal) and coke from British India except to the United Kingdom, British Possessions and Protectorates, with effect from the 1st October, 1915.

Provided that nothing in this notification shall apply to goods shipped by or for the use of the Crown, or to an Indian port, or for use or consumption during voyage.

[See Gazette of India, 1915, Part I, page 1837.]

Department
of Commerce
and Industry.

No. 15180-W., dated the 27th September, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, and in supersession of the notifications in this Department No. 187-W., dated the 24th October, 1914, and No. 14348-W., dated the 2nd September, 1915, the Governor General in Council is pleased to prohibit the export of all jute goods to all countries other than the United Kingdom.

[See Gazette of India, 1915, Part I, page 1874.]

No. 15102-W., dated the 2nd October, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the export of all kinds of tanning materials to all countries other than the United Kingdom, France, Russia (except Baltic ports) and British Possessions.

Department
of Commerce
and Industry.
Customs.

[See Gazette of India, 1915, Part I, page 1874.]

No. 16393, dated the 30th October, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased, in modification of Notification No. 8395-W., dated the 12th June, 1915, to prohibit the taking out of British India of Tungsten and Wolframite or any other ore of Tungsten unless permit in this behalf signed by the Chief Customs Officer is produced to the Customs Collector at the port of export in respect of such Tungsten and Wolframite or any other ore of Tungsten and unless such Tungsten and Wolframite or any other ore of Tungsten is shipped in accordance with the terms of such permit.¹

Department
of Commerce
and Industry.
Geology and
Minerals.

[See Gazette of India, 1915, Part I, page 1960.]

No. 16411-W., dated the 30th October, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the importation of unset diamonds in British India from all countries except the United Kingdom, with effect from the 1st November, 1915.

Department
of Commerce
and Industry.
Customs.

Provided that nothing in this Notification shall apply to—

- (i) diamonds shipped by or for the use of the Crown or from an Indian port ;
- (ii) diamonds which, in the opinion of the Local Government, are not of enemy origin and which left Holland before the 15th November, 1915.

[See Gazette of India, 1915, Part I, page 1962.]

No. 16419-W., dated the 30th October, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the export of silk noils to all countries other than the United Kingdom.

Department
of Commerce
and Industry.
Customs.

[See Gazette of India, 1915, Part I, page 1962.]

¹See the last item of the Schedule under Notification No. 25-W., dated 17th October, 1915 *supra* and footnote thereto.

Department
of Commerce
and Industry.
Customs.

No. 24-W., dated the 6th November, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the export of Coir, Rhea [Palmyra fibres] and Kapok (including all varieties of tree-cotton) and yarn made therefrom, to all countries in Europe and on the Mediterranean and Black Seas, other than the United Kingdom, France, Italy, Russia (except Baltic ports), Spain and Portugal.

[See Gazette of India, 1915, Part I, page 1980.]

Department
of Commerce
and Industry.
Customs.

No. 269-W., dated the 20th November, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, and in supersession of this Department's Notification No. 15151-W., dated the 25th September, 1915, the Governor General in Council is pleased to prohibit the export of mica from British India to all countries except the United Kingdom and British Possessions, with effect from the 19th November, 1915:

Provided that nothing in this notification shall apply to goods shipped by or for the use of the Crown or to any Indian port.

[See Gazette of India, 1915, Part I, page 2015.]

Department
of Commerce
and Industry.
Customs.

No. 286-W., dated the 20th November, 1915.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the export of diamonds from British India to all countries except the United Kingdom, with effect from the 19th November, 1915:

Provided that nothing in this notification shall apply to goods shipped by or for the use of the Crown or to any Indian port.

[See Gazette of India, 1915, Part I, page 2016.]

NOTIFICATIONS UNDER THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Home
Department.

No. 1424, dated the 12th August, 1914.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), the Governor General in Council is pleased to direct that the exemptions made by entry No. 13 of Schedule I of the Indian Arms Rules, 1909, in favour of Europeans who are not natural-born or naturalized subjects of His Majesty shall not extend to any subjects of the German or Austrian Empires.

[See Gazette of India, 1914, Part I, page 1331.]

Foreign and
Political
Department.

No. 156-W., dated the 19th August, 1914.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of

¹ The words "Palmyra fibres" were inserted by Notification No. 312-W., dated 20th November, 1915. See Gazette of India, 1915, Part I, page 2016.

1878), as applied to the Cantonments of Mhow, Nimach, Nowgong, Sehore, Agar and Guna, the Indore Residency Bazars and the Civil Lines of Nowgong, the Governor General in Council is pleased to direct that the exemptions made by entry No. 13 of Schedule I of the Indian Arms Rules, 1909, as applied to the said areas, in favour of Europeans who are not natural-born or naturalized subjects of His Majesty shall not extend to any subjects of the German or Austrian Empires.

[See Gazette of India, 1914, Part I, page 138.]

No. 160-W., dated the 19th August, 1914.—In exercise of the powers conferred by section 21 of the Indian Arms Act, 1878 (XI of 1878), as applied to the Hyderabad Assigned Districts, the Governor General in Council is pleased to direct that the exemptions made by clause 5 of the Notification of the Government of India in the Foreign Department, No. 1877-I., dated the 1st June, 1894, in favour of Europeans who are not British-born subjects of His Majesty shall not extend to any subjects of the German or Austrian Empires.

Foreign and
Political
Department.

[See Gazette of India 1914, Part I, page 1358.]

No. 407-C., dated the 23rd November, 1914.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), the Governor General in Council is pleased to direct that the exemptions made by entry No. 13 of Schedule I of the Indian Arms Rules, 1909, shall cease to apply to subjects of the Ottoman Empire.

Home
Department.
Judicial.

[See Gazette of India, 1914, Part I, page 1936.]

No. 754-D., dated the 15th December, 1914.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), as applied to the Cantonments of Mhow, Neemuch, Nowgong, Sehore, Agar, and Guna, the Indore Residency Bazars, and the Civil Lines of Nowgong, the Governor General in Council is pleased to direct that the exemptions made by entry No. 13 of Schedule I of the Indian Arms Rules, 1909, as applied to the said areas, in favour of subjects of the Ottoman Empire, shall cease to apply to such subjects.

Foreign and
Political
Department.

[See Gazette of India, 1914, Part I, page 2239.]

No. 758-D., dated the 15th December, 1914.—In exercise of the powers conferred by section 21 of the Indian Arms Act, 1878 (XI of 1878), as applied to the Hyderabad Assigned Districts, the Governor General in Council is pleased to direct that the exemptions made by clause 5 of the notification of the Government of India in the Foreign Department, No. 1877-I., dated the 1st June, 1894, in favour of subjects of the Ottoman Empire, shall cease to apply to such subjects.

Foreign and
Political
Department.

[See Gazette of India, 1914, Part I, page 2239.]

No. 87-C., dated the 9th November, 1915.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), the Governor General in Council is pleased to direct that the

Home
Department.
Police.

exemption made by entry No. 13 of Schedule I of the Indian Arms Rules, 1909, shall cease to apply to subjects of the Kingdom of Bulgaria.

[See Gazette of India, 1915, Part I, page 1995.]

NOTIFICATION UNDER THE INDIAN ARMY ACT, 1911 (VIII OF 1911).

Army
Department.
Judicial.

No. 1103, dated the 5th November 1915.—In exercise of the powers conferred by sections 6 and 113 of the Indian Army Act, 1911 (VIII of 1911), and in supersession of the Army Department Notifications Nos. 103 and 950, dated 22nd January, 1915, and 24th September, 1915, respectively, the Governor General in Council is pleased to prescribe the officers mentioned in the first column of the subjoined table as the officers who, during the continuance of the present war, are to exercise, as regards persons subject to the said Act serving under their orders, the powers under the Act and the Rules made thereunder and specified in the second column :—

The Table.

Officers.	Powers.
<i>Europe.</i>	
(a) The Commander-in-Chief of the British Army in the Field.	The powers of an Officer Commanding an Army.
(b) The Inspector General of Communications .	
(c) The General Officer Commanding the Indian Army Corps.	
(d) The General Officer Commanding the Indian Cavalry Corps.	
(e) The General Officers Commanding-in-Chief of Commands in the United Kingdom.	The powers of an Officer Commanding a Division.
(f) Officers Commanding Divisions in which Indian troops are serving.	
(g) The General Officer Commanding the London District.	
(h) Officers Commanding Brigades in which Indian troops are serving.	The powers of an Officer Commanding a Brigade.
<i>Mediterranean.</i>	
The General Officer Commanding the Mediterranean Expeditionary Force.	The powers of an Officer Commanding an Army.
<i>East Africa.</i>	
(a) The Officer Commanding the Expeditionary Force in East Africa.	The powers of an Officer Commanding a Division.
(b) The Inspector General of Communications .	
<i>Mesopotamia.</i>	
(a) The Officer Commanding the Expeditionary Force in Mesopotamia.	The powers of an Officer Commanding an Army.
(b) The Inspector General of Communications .	The powers of an Officer Commanding a Division.

[See Gazette of India, 1915, Part I, page 1988.]

NOTIFICATION UNDER THE INDIAN AIRCRAFT ACT, 1911 (XVII OF 1911).

No. 555-C., dated the 27th November, 1914.—In exercise of the powers conferred by section 7 of the Indian Aircraft Act, 1911 (XVII of 1911), as amended by the Indian Aircraft (Amendment) Act, 1914 (XVI of 1914), the Governor General in Council is pleased to prohibit absolutely the navigation of aircraft over, and the entry of aircraft by flight into, British India, including the territorial waters adjacent thereto.

[See Gazette of India, 1914, Part I, page 1936.]

NOTIFICATIONS UNDER THE DEFENCE OF INDIA (CRIMINAL LAW AMENDMENT) ACT, 1915 (IV OF 1915).

No. 1095, dated the 22nd March, 1915.—In exercise of the power conferred by section 1, sub-section (3), of the Defence of India (Criminal Law Amendment) Act of 1915, the Governor General in Council is pleased to direct that sections 3 to 11 of the said Act shall come into force with effect from the date of this notification in the districts of the Punjab specified in the schedule annexed hereto.

Schedule.

Lahore Division	{	Lahore District.
	{	Amritsar District.
	{	Gurdaspur District.
	{	Sialkot District.
	{	Gujranwala District.
Jullundur Division	{	Kangra District.
	{	Hoshiarpur District.
	{	Ludhiana District.
	{	Jullundur District.
	{	Ferozepore District.
Multan Division	{	Multan District.
	{	Jhang District.
	{	Lyallpur District.
	{	Montgomery District.
	{	Dera Ghazi Khan District.
	{	Muzaffargarh District.

[See Gazette of India, 1915, Part I, page 473.]

No. 1379, dated the 23rd April, 1915.—In exercise of the power conferred by section 1, sub-section (3), of the Defence of India (Criminal Law Amendment) Act of 1915 (IV of 1915), the Governor General in Council is pleased to direct that sections 3 to 11 of the said Act shall come into force with effect from the date of this notification

in the districts of the Presidency of Bengal specified in the schedule annexed hereto:—

Schedule.

Burdwan Division	.	.	{	Midnapore District.
			{	Howrah District.
			{	Hooghly District.
Presidency Division	.	.	{	24-Parganas District.
			{	Khulna District.
			{	Dacca District.
Dacca Division	.	.	{	Faridpur District.
			{	Mymensingh District.
			{	Backerganj District.
			{	Rajshahi District.
Rajshahi Division	.	.	{	Dinajpur District.
			{	Rangpur District.
			{	Jalpaiguri District.
			{	Pubna District.
			{	Tippera District.
Chittagong Division	.	.	{	Noakhali District.
			{	Chittagong District.

[See Gazette of India, 1915, Part I, page 605.]

Foreign and
Political
Department.

* *No. 1047-I.B., dated the 8th June, 1915.*—In exercise of the power conferred by section 2 of the Defence of India (Criminal Law

* For amendments see Notifications Nos. 1331-I. B., dated the 30th June, 1915, and 1811-I. B., dated the 17th August, 1915. These Notifications extended to Berar the amendments and further amendments made by Home Department Notifications Nos. 1881, dated the 18th June, 1915, and 2374, dated the 30th July, 1915, in Notification No. 1196, Pol., dated the 2nd April, 1915, which has been rescinded in British India, by the Defence of India (Consolidation) Rules, *infra* (Part V). Notification No. 1196, as thus amended, is reprinted below:—

Home
Department.

No. 1196, dated the 2nd April, 1915.—In pursuance of section 2 of the Defence of India (Criminal Law Amendment) Act, 1915, the Governor General in Council is pleased to make the following rules:—

Short title.

1. These rules may be called the Defence of India Rules, 1915.

Publication or
circulation of
statements or
reports.

2. (1) Whoever by words, either spoken or written, or by signs or by visible representations or otherwise publishes or circulates, or attempts to publish or circulate any statement, rumour or report—

- (a) which is false and which he has no reasonable ground to believe to be true, with intent to cause or which is likely to cause fear or alarm to the public or to any section of the public; or
- (b) with intent to jeopardise or which is likely to jeopardise the success of His Majesty's forces by land or sea or the success of the forces of any Power in alliance with His Majesty; or
- (c) with intent to prejudice or which is likely to prejudice His Majesty's relations with Foreign Powers; or
- (d) with intent to promote or which is likely to promote feelings of enmity and hatred between different classes of His Majesty's subjects,

shall be punishable with imprisonment of either description for a term which may extend to three years and shall also be liable to fine, or if it is proved that he did so with intent to assist the King's enemies, with death, transportation for life or imprisonment for a term which may extend to ten years.

(2) No Court shall take cognizance of any offence against this rule save upon complaint made by order of, or under authority from, the Governor General in Council, the Local Government or some officer empowered by the Governor General in Council in this behalf.

Amendment) Act, 1915 (IV of 1915), as applied to Berar,¹ the Governor General in Council is pleased to direct that the rules issued under the notification of the Government of India in the Home Department

3. Where in the opinion of the Local Government there are reasonable grounds for Powers to believing that any person has acted, is acting, or is about to act in a manner prejudicial to deal with the public safety or the defence of British India, the Local Government may, ²[from time to suspects. time] by order in writing, direct that such person—

- (a) shall not enter, reside or remain in any area ²[in British India] specified in the order,
- (b) shall reside or remain in any area so specified ;
- (c) shall conduct himself in such manner or abstain from such act or take such order with any property in his possession or under his control as may be specified in such order.

² [Provided that a local Government shall not make an order under clause (b) of this rule specifying an area outside the Province without the previous sanction of the Governor General in Council.]

³ [3-A. An order made under rule 3 shall be served on the person in respect of whom it is made in the manner provided in the Code of Criminal Procedure, 1898, for service of a orders under summons, and upon such service such person shall be deemed to have had due notice rule 3. thereof.]

4. Whoever, being a person in respect of whom an order has been made under rule 3, knowingly disobeys any direction in such order shall be punishable with imprisonment of either description for a term which may extend to three years and shall also be liable to breach of orders under rule 3. fine.

² [4-A.—(1) Every person in respect of whom an order has been made under rule 3 shall, if so directed by any officer authorised in this behalf by general or special order of the Local Government,— Power of photographing, etc., persons against whom orders under rule 3 have been made.

- (a) permit himself to be photographed ;
- (b) allow his finger impressions to be taken ;
- (c) furnish such officer with specimens of his handwriting and signature ;
- (d) attend at such times and places as such officer may direct for all or any of the foregoing purposes.

(2) If any person fails to comply with or attempts to evade any direction given in accordance with the provisions of this rule he shall be punishable with imprisonment of either description for a term which may extend to six months or with fine which may extend to Rs. 1,000 or with both.]

5. The power to issue search-warrants conferred by section 93 of the Criminal Procedure Code, shall be deemed to include a power to issue warrants authorising the Powers of search. search of any place in which any Magistrate, mentioned in that section, has reason to believe that an offence under these rules or any offence prejudicial to the public safety or the defence of British India has been, is being or is about to be committed, and the seizure of anything found therein or thereon which the officer executing the warrant has reason to believe is being used or intended to be used for any such purpose as aforesaid, and the provisions of the said Code so far as they can be made applicable shall apply to searches made under the authority of any warrant issued under this rule and to the disposal of any property seized in any such search.

[See Gazette of India, 1915, Part I, page 489.]

¹ See Foreign and Political Department Notification No. 394-I. B., dated 9th April 1915, *infra* (Part VI).

² Inserted by Home Department Notification No. 1881, dated 18th June, 1915.

³ Inserted by Notification No. 2374, dated 30th July, 1915.

No. 1196-Political, dated the 2nd April, 1915, shall apply to Berar, subject to the following modifications, namely :—

- (1) All references in the said rules to the Local Government shall be read as referring to the Chief Commissioner of the Central Provinces, and
- (2) All references to British India shall be read as including Berar.

[See Gazette of India, 1915, Part I, page 768.]

Home
Department,
Political.

No. 1789, dated the 10th June, 1915.—In exercise of the power conferred by section 1, sub-section (3), of the Defence of India (Criminal Law Amendment) Act of 1915 (IV of 1915), the Governor General in Council is pleased to direct that sections 3 to 11 of the said Act shall come into force, with effect from the date of this notification in the Nadia district of the Presidency of Bengal.

[See Gazette of India, 1915, Part I, page 768.]

Home Depart-
ment,
Political.

No. 3208, dated the 22nd September, 1915.—In exercise of the power conferred by section 1, sub-section (3), of the Defence of India (Criminal Law Amendment) Act of 1915 (IV of 1915), the Governor General in Council is pleased to direct that sections 3 to 11 of the said Act shall come into force with effect from the date of this notification in the Balasore District of the province of Bihar and Orissa.

[See Gazette of India, 1915, Part I, page 1830.]

Home Depart-
ment,
Political.

No. 3412, dated the 7th October, 1915.—In exercise of the power conferred by section 1, sub-section (3) of the Defence of India (Criminal Law Amendment) Act of 1915 (IV of 1915), the Governor General in Council is pleased to direct that sections 3 to 11 of the said Act shall come into force with effect from the date of this notification in the Benares District of the United Provinces of Agra and Oudh.

[See Gazette of India, 1915, Part I, page 1891.]

THE DEFENCE OF INDIA (WOLFRAM) RULES, 1915.

Department
of Commerce
and Industry.

No. 534—124-W., dated the 27th November 1915.—In pursuance of section 2 of the Defence of India (Criminal Law Amendment) Act, IV of 1915, read with the Defence of India Ordinance, 1915, the Governor General in Council is pleased to make the following rules :—

Short title
and extent.

1. (1) These rules may be called the Defence of India (Wolfram) Rules, 1915.

(2) They extend to Burma, including the Shan States.

Definitions.

2. (a) In these rules "Collector" includes any officer appointed by the Local Government by notification in the local official gazette to discharge in any local area the functions of a Collector under these rules.

(b) "Tungsten" includes wolfram, scheelite and any other ore of tungsten.

3. (1) Any person for the time being holding a license, granted by or on behalf of the Secretary of State, to prospect for tungsten, whether such license relates solely to tungsten or other minerals, shall obey any directions which he may, from time to time, receive from the Collector as to the manner in, and the conditions and scale on, which he shall carry on his operations under the license.

(2) The Collector may cancel the license of any such person, if—

(a) such person fails to comply with or attempts to evade any direction given under sub-rule (1); or

(b) in the opinion of the Collector, such person has not carried out or is not carrying out in a diligent and efficient manner the prospecting of the area covered by the license.

4. If in the Tavoy or Mergui district the Collector is satisfied that the presence of any person in the district is detrimental to the development of the tungsten industry, he may, for reasons to be recorded in writing, by order in writing direct that such person shall remove himself from the district within such time as may be specified in the order.

5. An order made under rule 4 should be served on the person in respect of whom it is made in the manner provided in the Code of Criminal Procedure, 1898, for service of a summons, and upon such service such person shall be deemed to have had due notice thereof.

6. Whoever, being a person in respect of whom an order has been made under rule 4, knowingly disobeys any direction in such order, shall be punishable with imprisonment of either description for a term which may extend to six months, or with fine which may extend to Rs. 1,000 or with both.

[See Gazette of India, 1915, Part I, page 2041.]

THE DEFENCE OF INDIA (CONSOLIDATION) RULES, 1915.

No. 86, dated the 9th December 1915.—In pursuance of section 2 of the Defence of India (Criminal Law Amendment) Act, 1915 (IV of 1915), read with the Defence of India Ordinance, 1915 (III of 1915), the Governor General in Council is pleased to make the following rules:—

1. These rules may be called the Defence of India (Consolidation) Rules, 1915.

2. In these rules unless there is anything repugnant in the subject or context—

(i) "The Act" means the Defence of India (Criminal Law Amendment) Act, 1915.

(ii) "Competent Military authority" means the Commander-in-Chief in India, the General Officer Commanding an Army, a Division, a Divisional Area, a Brigade, or any British Commissioned Officer in independent command of a corps or detachment of His Majesty's Forces.

- (iii) "Defended harbour" means any area declared by a notification in this behalf of the Governor General in Council in the Gazette of India to be a defended harbour for the purpose of these rules.

Powers to deal with suspects.

3. Where, in the opinion of the Local Government, there are reasonable grounds for believing that any person has acted, is acting, or is about to act in a manner prejudicial to the public safety or the defence of British India, the Local Government may, by order in writing, direct that such person—

- (a) shall not enter, reside or remain in any area specified in the order ;
- (b) shall reside or remain in any area in British India so specified ;
- (c) shall conduct himself in such manner or abstain from such acts or take such order with any property in his possession or under his control as may be specified in such order :

Provided that a Local Government shall not make an order under clause (b) of this rule specifying an area outside the province without the previous sanction of the Governor General in Council.

Service of orders under rule 3.

4. An order made under rule 3 shall be served on the person in respect of whom it is made in the manner provided in the Code of Criminal Procedure, 1898, for service of a summons, and upon such service such person shall be deemed to have had due notice thereof.

Penalty for breach of orders under rule 3.

5. Whoever being a person in respect of whom an order has been made under rule 3 knowingly disobeys any direction in such order shall be punishable with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

Power of photographing, etc., persons against whom orders under rule 3 have been made.

6. (1) Every person in respect of whom an order has been made under rule 3 shall, if so directed by any officer authorised in this behalf by general or special order of the Local Government,—

- (a) permit himself to be photographed ;
- (b) allow his finger impressions to be taken ;
- (c) furnish such officer with specimens of his handwriting and signature ;
- (d) attend at such times and places as such officer may direct for all or any of the foregoing purposes.

(2) If any person fails to comply with, or attempts to evade, any direction given in accordance with the provisions of this rule, he shall be punishable with imprisonment of either description for a term which may extend to six months or with fine which may extend to Rs. 1,000, or with both.

Powers of search.

7. The power to issue search-warrants conferred by section 98 of the Code of Criminal Procedure, 1898, shall be deemed to include a power to issue warrants authorising the search of any place in which any magistrate, mentioned in that section, has reason to believe that an offence under the foregoing rules or any offence prejudicial to the public safety or the defence of British India has been, is being, or is about to be committed, and the seizure of anything found therein or thereon which the officer executing the warrant has reason to believe is being used or intended to be used for any such purpose as aforesaid, and the provi-

sions of the said Code so far as they can be made applicable shall apply to searches made under the authority of any warrant issued under this rule and to the disposal of any property seized in any such search.

8. (1) In any area in which the Governor General in Council may, by notification in the Gazette of India, declare that the provisions of this rule shall be in force, it shall be lawful for the competent military authority and any person duly authorised by him by order in writing where, for the purpose of securing the public safety or the defence of British India, it is necessary so to do :—

- (a) to take possession of any land and to construct military works, including roads, thereon, and to remove any trees, hedges, and defences therefrom ;
- (b) to take possession of any buildings or other property, whether moveable or immovable, including works for the supply of gas, electricity, or water, and of any sources of water supply ;
- (c) to take such steps as may be necessary for placing any buildings or structures in a state of defence ;
- (d) to cause any buildings or structures to be destroyed or any property of any kind to be moved from one place to another, or to be destroyed ; and
- (e) to do any other act involving interference with private rights of property which is necessary for the purpose aforesaid.

(2) The chief presidency magistrate in a presidency-town and the district magistrate elsewhere may, on the application of any person who has suffered loss by the exercise of the power conferred by sub-rule (1), award to such person such compensation as he thinks reasonable, and such award shall be final.

9. The competent military authority and any person authorised by him by order in writing shall have right of access to any land or buildings, or other property whatsoever, and may also by order provide for the temporary suspension of rights of way over such land, buildings or other property.

10. The competent military authority may, by order, if he considers it necessary so to do for the purposes of any military operation or work of defence or other defended military work, or of any work for which it is deemed necessary for the purposes of the Act to afford military protection, close or divert any road or pathway over or adjoining the land on which such work is situate for so long as the order remains in force :

Provided that, where any such road or pathway is so closed or diverted, the competent military authority shall—

- (1) give notice in writing to the public or local authority (if any) in whose charge such road or pathway is ;
- (2) publish notice thereof in such manner as he may consider best adapted for informing the public, and, where any road or pathway is stopped up by means of any physical obstruction,

cause lights sufficient for the warning of passengers to be set up every night whilst the road or pathway is so stopped up; and

- (3) restore any such road or pathway to its original use and condition as soon as the military necessities of the case permit this to be done.

Power to
require
information
as to goods,
etc.

11. Where a competent military authority so orders, all persons residing or owning or occupying land, houses, or other premises in such area as may be specified in the order, or such of those persons as may be so specified, shall, within such time as may be so specified, furnish a list of all goods, animals, and other commodities of any nature or description so specified, which may be in their custody or under their control within the specified area, on the date on which the order is issued stating their nature and quantity, and the place in which they are severally situated, and giving any other details that may reasonably be required. If any person attempts to evade this rule by destroying, removing, transferring or secreting any goods, animals or commodities to which an order issued under this rule relates, he shall be deemed to have contravened these rules.

Power to
prohibit or
limit access to
public
buildings,
public places,
etc.

12. The Local Government, or any authority not below the rank of a district magistrate or commissioner of police empowered by the Local Government in this behalf, or a competent military authority may, by order in writing, prohibit or limit, in such way as it thinks fit, access to any building or place in the possession or under the control of Government or of any local authority, or to any building or place in the occupation, whether permanent or otherwise, of His Majesty's naval or military forces or of any police force or to any public place in the vicinity of any such building or place.

Navigation in
territorial
waters and
rivers and
channels
connected
therewith.

13. (1) In any area in which the Governor General in Council may, by notification in the Gazette of India, declare that the provisions of this rule shall be in force, the competent military authority or any other authority empowered in this behalf by the Local Government, may make regulations as to the navigation and mooring of vessels in the territorial waters adjacent to British India and in rivers or channels connected therewith, and may by such regulations prohibit any vessel or class of vessels from entering any such waters, rivers or channels which such authority may consider it necessary to keep clear of vessels or of vessels of that class in the interests of the public safety or the defence of British India.

(2) If any person disobeys or neglects to observe any regulation made in the exercise of the power conferred by sub-rule (1), he shall be deemed to have contravened these rules.

Vessels to
observe
regulations
and other
orders.

14. (1) Every vessel in the territorial waters adjacent to British India or in any river or channel connected therewith shall comply with any regulations made under rule 13, and shall obey any orders given by way of signal or otherwise by any naval, military or other officer engaged in the defence of the coast or by any person authorised by such officer in this behalf.

(2) If any vessel fails to comply with any such regulations or orders, any such officer or person may use any and every means necessary to compel compliance.

(3) If any vessel fails to comply with any such regulations or to obey any such orders, the master or other person in command or in charge of the vessels shall be deemed to have contravened these rules.

15. (1) In any area in which the Governor General in Council may, by notification in the Gazette of India, declare that the provisions of this rule shall be in force, any naval, military or other officer engaged in the defence of the coast, or any person authorised in this behalf by such officer, may,— Power of search, arrest and seizure.

(a) stop and search any vessel found within the territorial waters adjacent to British India or in rivers or channels connected therewith;

(b) search any place which he has reason to believe has been, is, or is about to be used for any purpose prejudicial to the public safety or the defence of British India;

(c) seize anything which he has reason to believe is being used or is intended to be used for any purpose prejudicial to the public safety or the defence of British India, and

(d) arrest any person whom he has reason to believe has acted, is acting, or is about to act in a manner prejudicial to the public safety or the defence of British India.

(2) Any officer or person exercising the powers conferred by this rule may use any and every means necessary to enforce the same.

(3) Any officer or person making an arrest or seizure under this rule shall forthwith report the fact to the Local Government, and, pending the receipt of the orders of the Local Government, may detain in custody any person arrested or thing seized:

Provided that no person shall be detained in custody for a period exceeding fifteen days without the order of the Local Government:

Provided further that no person shall be detained in custody under this rule for a period exceeding one month.

(4) All articles seized under this rule shall be disposed of in such manner as the Local Government may direct.

16. (1) The Governor General in Council or any officer of Government authorised by him in this behalf may, by order in writing, require the master or other person in command or charge of any British steamer to comply with all or any of the following directions:— Power to control sailing of certain steamers and to take up accommodation therein.

(a) to alter in any way specified in such order the date fixed for the sailing of such steamer, and to sail on such altered date;

(b) to place at the disposal of the Governor General in Council the whole, or any part which may be specified in the order, of the accommodation available on such steamer, and to employ the same for the carriage of such persons, animals or things as may be specified in the order; and

- (c) to undertake or permit to be undertaken such structural additions or alterations on board such steamer as may be necessary to fit the same for the safe carriage of any persons, animals or things in respect of whom or of which an order has been made under clause (b).

(2) Where any order has been made in exercise of the powers conferred by sub-rule (1) in respect of any steamer, the Governor General in Council shall pay to the owner of such steamer such compensation for any loss immediately attributable to such order and for any services rendered or expenditure incurred in complying therewith, as in default of agreement may be decided to be just and reasonable having regard to the circumstances of the case, by the arbitration of a person having knowledge of shipping affairs to be nominated in this behalf by the Governor General in Council, and such decision shall be final.

(3) If the master or other person in command or charge of any steamer disobeys or neglects to observe any directions given in the exercise of the powers conferred by sub-rule (1), such master or other person shall be deemed to have contravened these rules.

Prevention
of conveyance
of letters, etc.,
out of or into
British India.

17. (1) Any person entering into or departing from British India, on being required to do so by any officer appointed by the Local Government in this behalf, shall make a declaration as to whether or not he is carrying or conveying letters or other written messages intended to be transmitted by post or otherwise delivered, and, if so required, shall produce to the officer any such letters or messages; and such officer may search any such person and any baggage with a view to ascertaining whether such person, or the person to whom the baggage belongs, is carrying or conveying any such letters or messages.

(2) The officer may examine any letters or other messages so produced to him or found on such search, and, unless satisfied that they are of an innocent nature, shall transmit them to such authority as the Local Government may, by general or special order, direct, and such authority may dispose as it thinks fit of such letters or messages.

Obstruction
to, or dis-
obedience of,
authority
acting under
these rules.

18. No person shall—

- (a) voluntarily obstruct, or offer any resistance to, or impede, or otherwise interfere with, or
- (b) withhold any information in his possession which he is required to furnish under the provisions of any of these rules from, or
- (c) wilfully give false or misleading information to, or
- (d) fail or neglect to comply with any order issued by,

any authority or any officer or other person who is carrying out the orders of such authority or who is otherwise acting in accordance with his duty under any of the provisions of these rules.

Prohibition of
photographing
of naval and
military
works.

19. (1) No person shall, without the permission of the competent military authority, make any photograph, sketch, plan, model, or other representation of any naval or military work, or of any dock or harbour work in or in connection with a defended harbour, or with intent to assist the enemy, of any other place or thing, and if any person without lawful authority or excuse has in his possession any representation

of any such work of such a nature as is calculated to be useful to the enemy, he shall be deemed to have contravened these rules.

(2) For the purpose of this rule, the expression 'harbour work' includes lights, buoys, beacons, marks and other things for the purpose of facilitating navigation in or into a harbour.

20. (1) No person shall, without lawful authority, transmit, otherwise than through the post, or convey to or from British India, or receive or have in his possession for such transmittal or conveyance any letter or written message from or originating with, or to or intended for—

Prohibition of non-postal communications with enemy.

(a) any person, or body of persons, of whatever nationality, resident or carrying on business in any country for the time being at war with His Majesty, or acting on behalf or in the interests of any person or body of persons so resident or carrying on business ; or

(b) any person or body of persons whose Sovereign or State is at war with His Majesty, and who resides or carries on business in British India :

Provided that a person shall not be deemed to be guilty of a contravention of this rule if he proves that he did not know, and had no reason to suspect, that the letter or message in question was such a letter or message as aforesaid.

(2) This rule is in addition to, and not in derogation of, any provisions contained in the Indian Post Office Act, 1898 (VI of 1898), and shall not prejudice any right to take proceedings under that Act in respect of any transaction which is an offence under that Act.

21. No person shall send from British India, whether by post or otherwise, any document containing any matter written in any medium which is not visible unless subjected to heat or other treatment.

Prohibition of transmission of messages in secret writing.

22. No person shall voluntarily impede, hamper, or obstruct the training of His Majesty's naval or military forces, or of the Imperial Service Troops.

Obstruction of training.

23. No person shall dissuade or attempt to dissuade any person from entering the military or police service of His Majesty :

Dissuasion from enlistment.

Provided that nothing in this rule shall apply to advice true in substance and given in good faith for the benefit of the individual to whom it is given.

24. No person shall induce or attempt to induce any person in the service of His Majesty to disregard or fail in his duty as such servant.

Tampering with Government servants.

25. (1) Whoever by words, either spoken or written, or by signs or by visible representations or otherwise publishes or circulates any statement, rumour or report :—

Publication or circulation of statements or reports.

(a) which is false and which he has no reasonable ground to believe to be true, with intent to cause or which is likely to cause fear or alarm to the public or to any section of the public ; or

(b) with intent to jeopardise or which is likely to jeopardise the success of His Majesty's forces by land or sea or the success of the forces of any Power in alliance with His Majesty ; or

- (c) with intent to prejudice or which is likely to prejudice His Majesty's relations with Foreign Powers; or
- (d) with intent to promote or which is likely to promote feelings of enmity and hatred between different classes of His Majesty's subjects,

shall be punishable with imprisonment of either description for a term which may extend to three years and shall also be liable to fine, or if it is proved that he did so with intent to assist the King's enemies, with death, transportation for life or imprisonment for a term which may extend to ten years.

(2) No Court shall take cognizance of any offence against this rule save upon complaint made by order of, or under authority from, the Governor General in Council, the Local Government or some officer empowered by the Governor General in Council in this behalf.

Trespassing
on railway or
loitering near
bridge, etc.

26. (1) Whoever is found trespassing on any railway, or loitering on, under or near any tunnel, bridge, viaduct or culvert, in circumstances which afford reason to believe that he is so trespassing or loitering with a view to committing an offence, shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both.

(2) The expression "offence" for the purpose of this rule means anything punishable under any law for the time being in force with imprisonment for a term of six months or upwards, whether with or without fine.

Publication of
notice of
orders under
the rules.

27. (1) Every authority who makes an order in pursuance of these rules shall, subject to the provisions of rule 4, publish notice of the order in such manner as he may consider best, adapted for informing persons affected by the order.

(2) Whoever, without lawful authority, defaces or otherwise tampers with any notice posted up in pursuance of these rules shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.

Attempts.

28. Any person who attempts to commit, or abets or attempts to abet the commission of any act prohibited by or punishable under these rules shall be deemed to have acted in contravention of these rules in like manner as if he had himself committed the act.

Penalty for
contravention
not otherwise
provided for.

29. Whoever contravenes any of these rules shall, where no express provision is made herein for the punishment of such contravention, be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

Cognizance of
contraventions
of the rules.

30. Save as otherwise provided in rule 25 (2), no Court shall take cognizance of any offence punishable under these rules unless the Local Government, a chief presidency magistrate, a district magistrate or competent military authority not being below the rank of a Lieutenant-Colonel has, by order in writing, consented to the initiation of the proceedings.

Interpretation
of the rules.

31. The General Clauses Act, 1897 (X of 1897), shall apply for the purpose of the interpretation of these rules in like manner as it applies

for the purpose of the interpretation of an Act of the Governor General in Council.

32. The rules published with the following notifications of the Government of India are hereby rescinded, namely :—

Rescission of
former rules
and savings.

In the Home Department—

No. 1196, dated the 2nd April, 1915.

„ 1881, dated the 18th June, 1915.

„ 2374, dated the 30th July, 1915.

In the Army Department, Judicial—

No. 693, dated the 23rd July, 1915.

„ 1104, dated the 5th November, 1915.

„ 1139, dated the 12th November, 1915.

„ 1170, dated the 19th November, 1915 :

Provided that the rescission of any such rule shall not—

- (a) affect the previous operation of any rule so rescinded or anything duly done, or suffered thereunder, or
- (b) affect any right, privilege, obligation or liability acquired, accrued or incurred under any rule so rescinded, or
- (c) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any rule so rescinded, or affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation or liability, penalty, forfeiture or punishment as aforesaid; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if such rule had not been rescinded :

Provided further, that any sanction, permission or direction given, or order, requirement or appointment made, authority issued or other action taken under any rule so rescinded shall be deemed to have been given, made, issued or taken under the corresponding provision of these rules.

[See Gazette of India, 1915, Part I, page 2030.]

NOTIFICATION UNDER THE INDIAN PATENTS AND DESIGNS (TEMPORARY RULES) ACT, 1915 (VI OF 1915).

THE INDIAN PATENTS AND DESIGNS (TEMPORARY) RULES, 1915.

No. 5073-9, dated the 1st May, 1915.—In exercise of the power conferred by sections 3 and 4 of the Indian Patents and Designs (Temporary Rules) Act, 1915, the Governor General in Council is pleased to make the following rules :—

Department of
Commerce and
Industry.

1. These rules may be called the Indian Patents and Designs (Temporary) Rules, 1915.

2. The Controller of Patents and Designs may, on the application of any person, and subject to such terms and conditions, if any, as he thinks fit, order the avoidance or suspension, in whole or in part, of any patent or licence and of the registration of any design, and of all or any right in a registered design the person entitled to the benefit of which is a subject of any State at war with His Majesty, and the Controller before granting any such application may require to be satisfied—

- (a) that the person entitled to such benefit is the subject of a State at war with His Majesty ;
- (b) that the person applying intends to manufacture, or cause to be manufactured, the patented article ; or to carry on, or cause to be carried on, the patented process ; or to manufacture, or cause to be manufactured, the goods, or any of them, in respect of which the design is registered ;
- (c) that it is in the general interest of the country, or of a section of the community, or of a trade, that such avoidance or suspension should be ordered.

3. The fee to be paid on any such application shall be Rs. 20.

4. The application shall be filed with the Controller of Patents and Designs, who shall notify any person whose name appears on the Registers of Patents or Designs as having an interest and shall appoint a date for hearing the application. The application and the date of the hearing shall be notified in the Gazette of India. The applicant shall produce evidence at the hearing to satisfy the Controller in respect of (a), (b) and (c) of Rule 2 and that he himself is not a subject of any State at war with His Majesty. The patentee, or proprietor of the design, or anyone interested, may appear at the hearing in opposition to the applications provided that notice of his intention is given to the Controller at the Patent Office before the date of hearing.

5. In any case in which the Controller makes an Order under these rules avoiding or suspending, in whole or in part, a patent, or licence, or avoiding or suspending the registration, and all or any rights conferred by the registration, of any design, the Controller may in his discretion grant in favour of any person or persons other than the subject of any State at war with His Majesty, licences to make, sell or use the patented invention or registered design so avoided or suspended, upon such terms and conditions, and either for the whole term of the patent or registration of the design, or for such less period, as the Controller may think fit.

6. The decision of the Controller shall be subject to appeal to the Governor General in Council.

7. The Governor General in Council may at any time, in his absolute discretion, revoke or vary any avoidance or suspension or licence ordered under these rules.

8. The Controller may avoid or suspend any proceedings on any application made under the Indian Patents and Designs Act, 1911, by a subject of any State at war with His Majesty.

9. The Controller may extend any time prescribed by the Indian Patents and Designs Act, 1911, for doing any act or filing any document

upon such terms and subject to such conditions as he may think fit—

- (a) where it is shown to his satisfaction that the applicant, patentee or proprietor, as the case may be, was prevented from doing the said act or filing the said document, by reason of active service or enforced absence from this country, or any other circumstances arising from the present state of war, which, in the opinion of the Controller, would justify such extension;
- (b) where the doing of any act would, by reason of the circumstances arising from the present state of war, be prejudicial or injurious to the rights or interests of any applicant, patentee or proprietor, as aforesaid.

10. Save as otherwise provided in these rules the procedure prescribed by the Indian Patents and Designs Act, 1911, and the rules made thereunder shall, so far as the same can be made applicable, apply to all proceedings taken under these rules.

11. These rules shall apply to any exclusive privilege acquired under the Inventions and Designs Act, 1888, as if such exclusive privilege had been a patent granted under the Indian Patents and Designs Act, 1911.

[See Gazette of India, 1915, Part I, page 634.]

ORDER UNDER THE ENEMY TRADING ACT, 1915 (XIV OF 1915).

No. 15956-W., dated the 16th October, 1915.—In pursuance of section 14 (1) of the Enemy Trading Act, 1915 (XIV of 1915), the Governor General in Council is pleased to make and issue the following order :—

No person shall pay to any subject of the German Empire or of the Dual Monarchy of Austria-Hungary, who is about to be repatriated, a sum of money on any account whatsoever, in excess of fifteen hundred rupees.

[See Gazette of India, 1915, Part I, page 1915.]

Department
of Commerce
and Industry,
Commerce
and Trade.



Part VI.

NOTIFICATIONS AND ORDERS UNDER THE INDIAN (FOREIGN JURISDICTION) ORDER IN COUNCIL, 1902, THE FOREIGNERS ORDINANCE, 1914, AND OTHER ORDINANCES.

NOTIFICATIONS UNDER THE INDIAN (FOREIGN JURIS- DICTION) ORDER IN COUNCIL, 1902.

No. 1387-I. B., dated the 11th August, 1914.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to apply the Indian Naval and Military News (Emergency) Ordinance, 1914 (Ordinance No. 1 of 1914), in so far as it may be applicable to the areas specified in the first column of the Schedule hereto annexed.

Foreign and
Political
Department.

Provided, first, that in the Ordinance as so applied, references to a Local Government shall be read as referring to the authorities specified in the second column of the said Schedule :

Provided, secondly, that for the purpose of facilitating the application of the said Ordinance, any Court exercising jurisdiction in any area specified in the first column of the said Schedule may construe the provisions of the said Ordinance with such alterations not affecting the substance as may be necessary or proper to adapt them to the matter before the Court.

Schedule.

1	2
1. The railway lands described in the notification of the Government of India in the Foreign Department, No. 784-I. B., dated the 9th April, 1913, as subsequently amended, and in the first and second columns of the Schedule annexed thereto.	The authorities severally specified in the third column of the same Schedule.
2. The Baroda Cantonment	The Resident at Baroda.
3. The Administered areas in Central India, as described in the Notification of the Government of India in the Foreign Department, No. 2365-I. B., dated the 14th November, 1912.	The Agent to the Governor General in Central India.

Schedule—continued.

1	2
4. The Administered areas in the Hyderabad State, as described in the Notification of the Government of India in the Foreign Department, No. 532-I. B., dated the 22nd March, 1913.	The Resident at Hyderabad.
5. The Civil and Military Station of Bangalore	The Resident in Mysore.
6. The Abu area, as described in the Notification of the Government of India in the Foreign Department, No. 679-I. B., dated the 2nd April, 1913.	The Agent to the Governor General in Rajputana.
7. The British Reserve, Manipur, as defined in the Notification of the Government of India in the Foreign Department, No. 533-I. B., dated the 12th March, 1909.	The Chief Commissioner of Assam.
8. Berar	The Chief Commissioner of the Central Provinces.

[See Gazette of India, 1914, Part I, page 1332.]

Foreign and
Political
Department.

No. 1666-I.B., dated the 28th August, 1914.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to apply the Foreigners Ordinance, 1914 (Ordinance No. III of 1914), in so far as it may be applicable to the areas specified in the first column of the Schedule* hereto annexed :

Provided, first, that in the Ordinance as so applied references to a Local Government shall be read as referring to the authorities specified in the second column of the said Schedule, and references to British India shall be read as including the said areas :

Provided, secondly, that for the purpose of facilitating the application of the said Ordinance, any court or authority exercising jurisdiction in any area specified in the first column of the said Schedule may construe the provisions of the said Ordinance with such alterations not affecting the substance as may be necessary or proper to adapt them to the matter before it.

[Schedule.]*

[See Gazette of India, 1914, Part I, page 1378.]

Foreign and
Political
Department.

No. 1667-I.B., dated the 28th August, 1914.—In pursuance of section 8 of the Foreigners Ordinance, 1914, as applied to the areas specified in the first column of the Schedule* annexed to the Notification of the Government of India in the Foreign and Political Department, No. 1666-I.B., dated the 28th August, 1914, and subject to the provisos set out in the said notification, the Governor General in Council is

* The Schedule is the same as the Schedule to Notification No. 1387-I. B., dated 11th August, 1914, *supra*.

pleased to direct that the Notifications of the Government of India in the Home Department, Nos. 907 and 908, dated the 22nd August, 1914, whereby certain powers are delegated to civil and military authorities, respectively, shall apply to the said areas, so far as they may be applicable.

[See Gazette of India, 1914, Part I, page 1378.]

No. 1668-I. B., dated the 28th August, 1914.—In exercise of the powers conferred by section 3 of the Foreigners Ordinance, 1914, as applied to the areas specified in the first column of the Schedule annexed to the Notification of the Government of India in the Foreign and Political Department, No. 1666-I. B., dated the 28th August, 1914, the Governor General in Council is pleased to direct that the orders contained in the Notification of the Government of India in the Home Department, No. 909, dated the 22nd August, 1914, regulating and restricting the entry of foreigners into British India and their departure therefrom shall apply to the said areas, so far as applicable.

Foreign and
Political
Department.

[See Gazette of India, 1914, Part I, page 1378.]

No. 599-D., dated the 29th January, 1915.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to apply the Ingress into India Ordinance, 1914 (V of 1914), in so far as it may be applicable to Berar :

Foreign and
Political
Department.

Provided, first, that in the Ordinance as so applied references to British India shall be read as including Berar :

Provided, secondly, that for the purpose of facilitating the application of the said Ordinance, any Court or authority exercising jurisdiction in Berar may construe the provisions of the said Ordinance with such alterations not affecting the substance as may be necessary or proper to adapt them to the matter before it :

Provided, thirdly, that in section 2 of the said Ordinance, after the word " Ordinance " where it appears for the second time, the following words shall be inserted, namely :

" or who, after the fifth day of September, 1914, have entered British India (including Berar) from some place outside India."

[See Gazette of India, 1915, Part I, page 209.]

No. 999-D., dated the 22nd February, 1915.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to apply the following Ordinances, in so far as they may be applicable, to Berar, namely :—

Foreign and
Political
Department.

The Commercial Intercourse with Enemies Ordinance, 1914 (VI of 1914),

The Foreigners (Amendment) Ordinance, 1914 (VII of 1914.)

The Foreigners (Further Amendment) Ordinance, 1914 (VIII of 1914), and

The Articles of Commerce Ordinance, 1914 (IX of 1914) :

Provided, first, that in the Ordinances as so applied, references to a Local Government shall be read as referring to the Chief Commissioner of the Central Provinces, and references to British India as including Berar :

Provided, secondly, that for the purpose of facilitating the application of the said Ordinances; any court or authority exercising jurisdiction in Berar may construe the provisions of the said Ordinances with such alterations not affecting the substance as may be necessary or proper to adapt them to the matter before it.

The Governor General in Council is further pleased to direct that the following notifications of the Government of India in the Department of Commerce and Industry shall, so far as they may be applicable, and subject to the same provisos, apply to Berar, namely :—

No. 807-W., dated the 14th November 1914 [issuing the Hostile Foreigners (Trading) Order],

No. 1116-W., dated the 26th November, 1914 (granting a general license under the aforesaid Order),

No. 1296-W., dated the 28th November, 1914 (issuing a further Order to be read as one with the aforesaid Order), and

No. 1631-W., dated the 13th February, 1915 (granting a general license, under the Order cited first above, to Asiatic subjects of the Ottoman Empire to carry on trade or business in British India).

[See Gazette of India, 1915, Part I, page 346.]

Foreign and
Political
Department.

No. 394-I. B., dated the 9th April, 1915.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and all other powers enabling him in that behalf, the Governor General in Council is pleased to apply the provisions of the Defence of India (Criminal Law Amendment) Act, 1915 (IV of 1915), so far as they may be applicable to the areas specified in the first column of the Schedule annexed to the Notification of the Government of India in the Foreign and Political Department, ¹No. 1442-I. B., dated the 14th August, 1914 :

Provided, first, that in the Act as so applied references to a Local Government shall be read as referring to the authorities specified in the second column of the said Schedule, and references to British India shall be read as including the said areas :

Provided, secondly, that for the purpose of facilitating the application of the said Act, any Court exercising jurisdiction in the said areas may construe the provisions of the said Act with such alterations not affecting the substance as may be necessary or proper to adapt them to the matter before it.

[See Gazette of India, 1915, Part I, page 559.]

¹ See Gazette of India, 1914, Part I, page 1336.

*Part VI.—Notifications and Orders under the Indian (Foreign 133
Jurisdiction) Order in Council and Ordinances.*

No. 179-D., dated the 19th November, 1915.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, and in supersession of the Notification of the Government of India in the Foreign and Political Department, No. 852-I.B., dated 20th May, 1915, the Governor General in Council is pleased to apply the Indian Soldiers (Litigation) Act, 1915 (Act XII of 1915), in so far as it may be applicable to the areas specified in the first column of the Schedule hereto annexed :

Foreign and
Political
Department.

Provided, first, that in the Act as so applied references to a Local Government shall be read as referring to the authorities specified in the second column of the said Schedule, and references to British India shall be read as including the said areas :

Provided, secondly, that for the purpose of facilitating the application of the said Act any court or authority exercising jurisdiction in any area specified in the first column of the said Schedule may construe the provisions of the said Act with such alterations not affecting the substance as may be necessary or proper to adapt them to the matter before it.

Schedule.

1	2.
1. The railway lands described in the Notification of the Government of India in the Foreign Department, No. 784-I. B., dated the 9th April, 1913, as subsequently amended, and in the first and second columns of the Schedule annexed thereto.	The authorities severally specified in the third column of the same Schedule.
2. The Baroda Cantonment	The Resident at Baroda.
3. The Administered Areas in Central India, as described in the Notification of the Government of India in the Foreign Department, No. 2365-I. B., dated the 14th November, 1912.	The Agent to the Governor General in Central India.
4. The Administered Areas in the Hyderabad State, as described in the Notification of the Government of India in the Foreign Department, No. 582-I. B., dated the 22nd March, 1913.	The Resident at Hyderabad.
5. The Civil and Military Station of Bangalore . .	The Resident in Mysore.
6. The Abu area, as described in the Notification of the Government of India in the Foreign Department, No. 679-I. B., dated the 2nd April, 1913.	The Agent to the Governor General in Rajputana.
7. The British Reserve, Manipur, as defined in the Notification of the Government of India in the Foreign Department, No. 533-I. B., dated the 12th March, 1909.	The Chief Commissioner of Assam.
8. Berar	The Chief Commissioner of the Central Provinces.

[See Gazette of India, 1915, Part I, page 2014.]

NOTIFICATION UNDER THE IMPRESSMENT OF VESSELS ORDINANCE, 1914 (II OF 1914).

Home
Department.

No. 73, dated the 18th August, 1914.—In exercise of the powers conferred by section 3 of the Impressment of Vessels Ordinance, 1914, the Governor General in Council is pleased to empower the officers named in the first column of the Schedule below, to impress temporarily for the service of His Majesty's vessels in the ports specified opposite their names, respectively, in the second column of the same Schedule.

Schedule.

*[Captain W. Lumsden, C.V.O., R.N., Director of the
Royal Indian Marine *Bombay.*]

†[Captain E. G. Mills, Assistant Director, Royal
Indian Marine (sub. *pro tem.*) *Calcutta.*]

Commander W. B. Huddleston, Royal Indian Marine,
Presidency Port Officer *Madras.*

Commander S. D. Vale, Royal Indian Marine, Princi-
pal Port Officer, Burma *Rangoon.*

Commander M. W. Farewell, Royal Indian Marine,
Port Officer *Karachi.*

Commander C. B. Henley, Royal Indian Marine,
Port Officer *Aden.*

[See Gazette of India, 1914, Part I, page 1370.]

NOTIFICATIONS AND ORDERS UNDER THE FOREIGN- ERS ORDINANCE, 1914 (III OF 1914).

Home
Department,
Political.

No. 907, dated the 22nd August, 1914.—In pursuance of the provisions of section 8 of the Foreigners Ordinance, 1914, the Governor General in Council is pleased to delegate to the civil authorities specified in the first column of the Schedule annexed the powers specified in the second column of the same Schedule, subject to the restrictions specified in the third column thereof.

*Substituted by Notification No. 77, dated the 1st September, 1914, see Gazette of India, 1914, Part I, page 1407.

†Substituted by Notification No. 30, dated 10th September, 1915, see Gazette of India, 1915, Part I, page 1800.

Schedule.

1	2	3
Authority empowered.	Powers delegated.	Restrictions.
1. All Local Governments.*	1. Powers under section 3 of the said Ordinance to regulate and restrict the liberty of foreigners residing or being in British India. 2. Power under section 7 of the said Ordinance to make rules providing for the manner in which orders made by the Local Government in accordance with the provisions of this notification shall be enforced. 3. Power under section 8 of the said Ordinance to modify or rescind any order or rule made in accordance with the provisions of this notification.	The powers referred to in entry No. 1 of column 2 may be exercised only in respect of foreigners residing or being in the province administered by the Local Government who are not male subjects of the German Empire of [17] ¹ years of age or over but not more than [55] ¹ years of age, or male subjects of the Dual Monarchy of Austria-Hungary who are [17] ¹ years of age or over but not more than [60] ¹ years of age ² [or able-bodied male subjects of the Kingdom of Bulgaria].

[See Gazette of India, 1914, Part I, page 1375.]

No. 908, dated the 22nd August, 1914.—In pursuance of the provisions of section 8 of the Foreigners Ordinance, 1914, the Governor General in Council is pleased to delegate to the military authorities specified in the first column of the Schedule annexed the powers specified in the second column of the same Schedule, subject to the restrictions specified in the third column thereof.

Home
Department.

Schedule.

1	2	3
Authority empowered.	Powers delegated.	Restrictions.
1. The Commander-in-Chief in India.	Power under section 7 of the said Ordinance to make rules providing for the manner in which orders made by military authorities in accordance with the provisions of this notification shall be enforced, and power under section 8 of the said Ordinance to modify or rescind any such rules.	<i>Nil.</i>

* The power delegated to the Local Government of Bombay has been delegated to the Commissioner in Sind and the Political Resident, Aden, in regard to the areas, respectively, administered by those authorities, *see* Notification No. 1050, dated 27th August, 1914, *infra*.

¹ The age limits are the altered ones made by Government of India, Home Department, Notifications Nos. 1768, dated 7th October, 1914 (*see* Gazette of India, 1914, Part I, page 1641), and No. 3423, dated 8th October, 1915 (*see* Gazette of India, 1915, Part I, page 1891).

² Inserted by Notification No. 4467, dated 10th November, 1915, *see* Gazette of India, 1915, Part I, page 1995.

Schedule—continued.

1	2	3
Authority empowered.	Powers delegated.	Restrictions.
2. The Adjutant-General in India.	1. Powers under section 3 of the said Ordinance to regulate and restrict the liberty of foreigners residing or being in British India.	(a) The powers referred to in entry No. 1 of column 2 may be exercised by the Adjutant-General in India only in respect of foreigners residing or being in the district of Simla, and by the military authorities referred to in entries 3, 4, 5, and 6 of the 1st column, only in respect of foreigners residing or being in the territories included in their respective commands; and
3. Officers Commanding Divisions.	2. Power under section 8 of the said Ordinance to modify or rescind any orders made by them.	(b) the said powers, except the power of prohibiting foreigners from entering or remaining in any specified area in British India or of permitting foreigners to enter or remain in such areas subject to conditions and restrictions, may be exercised only in respect of male subjects of the German Empire who are not less than 17 ¹ or more than 55 ¹ years of age, or in respect of male subjects of the Dual Monarchy of Austria-Hungary, who are not less than 17 ¹ or more than 60* years of age, ² [or in respect of able-bodied male subjects of the Kingdom of Bulgaria].
4. Officers Commanding Brigades.		
5. Officers Commanding Divisional Areas.		
6. Officers Commanding internal security areas.		

[See Gazette of India, 1914, Part I, page 1375.]

Home
Department.

No. 979, dated the 22nd August, 1914.—In exercise of the powers conferred by section 3 of the Foreigners Ordinance, 1914, the Governor General in Council is pleased to issue the following orders regulating and restricting the entry of foreigners into British India and their departure therefrom:—

1. No foreigners shall enter into or depart from British India by sea except by the ports of Calcutta, Madras or Rangoon.

2. No foreigner shall depart from British India by land or sea before the 15th September, 1914.

¹ The age limits are the altered ones made by Government of India, Home Department, Notifications No. 1768, dated 7th October, 1914 (see Gazette of India, 1914, Part I, page 164), and No. 3423, dated 8th October, 1915 (see Gazette of India, 1915, Part I, page 1891).

² Inserted by Notification No. 4468, dated 10th November, 1915, see Gazette of India, 1915, Part I, page 995.

3. No foreigner who is a subject of the German Empire or of the Dual Monarchy of Austria-Hungary shall depart from British India by land or sea before the 15th September, 1914, or after the 30th September, 1914.

4. No foreigner who is a male subject of the German Empire and is ¹ [17] years of age or over ¹ [but not more than 55] years of age, or who is a male subject of the Dual Monarchy of Austria-Hungary and is ¹ [17] years of age or over ¹ [but not more than 60] years of age² [or who is an able-bodied male subject of the Kingdom of Bulgaria] shall depart from British India by land or sea until further orders.

5. Nothing in these orders shall—

(a) apply to any Asiatic foreigner; or

(b) be deemed to prohibit any foreigner from entering into or departing from British India in accordance with the terms of any permit granted by the Governor General in Council or some officer empowered by the Governor General in Council in this behalf.

[See Gazette of India, 1914, Part I, page 1376.]

o. 1050, dated the 27th August, 1914.—In pursuance of the Home Department. provisions of the Foreigners Ordinance, 1914, and in modification of the Notification of the Government of India in the Home Department, No. 907, dated the 22nd August, 1914, the Governor General in Council is pleased to delegate to the Commissioner in Sind and the Political Resident, Aden, in regard to the areas respectively administered by those authorities, the powers delegated to the Local Government of Bombay under the said Notification.

[See Gazette of India, 1914, Part I, page 1377.]

No. 1216, dated the 5th September, 1914.—In pursuance of clause 5 Home Department. (b) of Home Department Notification No. 909, dated the 22nd August, 1914, the Governor General in Council is pleased to empower the Chief Secretaries to the Governments of Madras and Burma, and the Commissioner of Police, Calcutta, to grant permits for the entry and departure of foreigners from the ports of Madras, Rangoon and Calcutta, respectively.

[See Gazette of India, 1914, Part I, page 1392.]

¹ The age limits are the altered ones made by the Government of India, Home Department, Notifications No. 1767, dated 7th October, 1914 (see Gazette of India, 1914, Part I, page 1641), and No. 3423, dated the 8th October, 1915 (see Gazette of India, 1915, Part I, page 891.)

² Inserted by Notification No. 4469, dated 10th November, 1915, see Gazette of India, 1915, Part I, page 1995.

THE HOSTILE FOREIGNERS (TRADING) ORDER.

Department
of Commerce
and Industry,
Commerce and
Trade.

No. 807-W., dated the 14th November, 1914.—In pursuance of the Foreigners Ordinance, 1914 (III of 1914), as amended by the Foreigners (Amendment) Ordinance (VII of 1914) and by the Foreigners (Further Amendment) Ordinance (VIII of 1914), the Governor General in Council is pleased to make and issue the following Order.

Short title.

1. This Order may be called the Hostile Foreigners (Trading) Order.

Definitions.

2. In this Order—

(a) "hostile foreigner" means any subject of the German Empire, of the Dual Monarchy of Austria-Hungary, or of the Ottoman Empire (other than an Egyptian subject);

(b) "hostile firm" means any company, firm or association or body of individuals, whether incorporated or not, of which any member or officer is a hostile foreigner or of which a hostile foreigner was a member or officer on the 3rd day of August, 1914, and which has an office, agency, or place of business in British India.

3. For the purpose of ascertaining whether any company, firm, association or body of individuals, whether

Power to investigate character of firm.

incorporated or not, is a hostile firm, any person empowered in that behalf by the Local Government may inspect all books or documents belonging to or under the control of that company, firm, association or body of individuals, and may require any person able to give any information with respect to the business or trade of the same to give that information.

4. (1) A hostile foreigner shall not, neither shall a hostile firm, carry on or engage in any trade or

Prohibition against trading without a licence.

business in British India except under a licence (either specially granted to individuals or announced as applying to classes of persons) issued by or under the authority of the Governor General in Council and to such extent and subject to such conditions, restrictions and supervision as the Governor General in Council may therein direct.

(2) The Governor General in Council may at any time revoke any licence granted under sub-clause (1) or alter or add to the conditions, restrictions or supervision imposed thereunder.*

5. (1) Every application for the grant of an individual licence to

Application for licence.

a hostile foreigner or hostile firm shall be in the form prescribed in Schedule A or as near thereto as may be, and shall be submitted to the Government of

* See Department of Commerce and Industry Notifications No. 2263-W., dated 6th March, 1915, and 14535-W., dated 11th September, 1915, *infra*.

India through the Local Government within whose jurisdiction the applicant's principal place of business in British India is situate.

(2) An application on behalf of a hostile foreigner or hostile firm not resident or located in British India shall be signed by a manager or other agent resident in British India.

Consequences of failure to obtain a licence. 6. (1) A hostile foreigner who, or a hostile firm, which—

(i) has been refused a licence to carry on or engage in trade or business ; or

(ii) has failed to apply within one month from the date of this order for such a licence ;

shall (unless exempted by the terms of any general licence issued under this Order) forthwith cease to carry on or engage in any trade or business in British India.

(2) The Local Government may, by notification in the local official Gazette, declare that any hostile foreigner or hostile firm has been refused, or has failed to apply for, a licence under this Order, and thereafter no person in British India shall carry on or engage in any trade or business with such foreigner or firm.

(3) The Local Government may also direct that any such foreigner or firm shall deposit all the assets of his or its trade or business with such person as the Local Government may, by general or special order, appoint to receive the same.

(4) All assets transferred in compliance with an order under sub-clause (3) shall be dealt with in such manner as the Local Government may, from time to time, by general or special order direct.

7. The Local Government, or any officer empowered by the Local Government in this behalf, may, for the purpose of enforcing the provisions of clause 6, by order in writing, authorize any police-officer not below the rank of sub-inspector to enter, if necessary by force, and to search or occupy any premises in which any hostile foreigner or hostile firm within the scope of that clause has been or is carrying on or engaging in any trade or business.

Schedule A.

Application for permission to trade in British India, submitted in accordance with the provisions of clause 5 of the Order issued by the Governor General in Council on the fourteenth day of November, 1914,

in pursuance of the Foreigners Ordinance, 1914 (III of 1914), as amended by Ordinances VII and VIII of 1914.

Name of applicant.	Nationality.	Name of Firm. If any (here also state whether the applicant is a member, officer or agent).	Nature of trade or business for which a licence is asked.	Name and addresses of corresponding firms.	Address of headquarters of business (if not in British India).	Address of principal place of business in British India.	Other places of business in British India (here state address of each office, branch or agency).	Names and addresses of member-officers and agent, resident in British India, who are German, Austro-Hungarian or Turkish (other than Egyptian subjects).
								(a) As on 3rd August, 1914. (b) As at date of application.

Date _____

Address _____

Signature _____

[See Gazette of India, 1914, Part I, page 1915.]

Department
of Commerce
and Industry.

No. 1296-W., dated the 28th November, 1914.—In pursuance of the Foreigners Ordinance, 1914 (III of 1914), as amended by the Foreigners (Amendment) Ordinance (VII of 1914) and by the Foreigners (Further Amendment) Ordinance (VIII of 1914), the Governor General in Council is pleased to make and issue the following Order :—

1. Where the Local Government is of opinion that a hostile foreigner or a hostile firm is utilising or is likely to utilise the period of one month allowed by clause 6 (1) (ii) of the Hostile Foreigners (Trading) Order, for the submission of an application to carry on, or engage in trade or business in British India, in realising his or its assets for the purpose of remitting such assets directly or indirectly to any person resident in any State for the time being at war with His Majesty, the Local Government may direct such foreigner or firm shall not transfer or otherwise deal with in any way his or its assets or any part thereof without the consent of the Local Government, and the Local Government may take all steps it may consider necessary to ensure compliance with any such order.

2. An order made under clause (1) shall remain in force until the disposal of the application for a licence under the Hostile Foreigners (Trading) Order, or in the event of a failure to make such an application until the period of one month within which such an application must be made has expired.

3. This Order shall be read as one with the Hostile Foreigners (Trading) Order.

[See Gazette of India, 1914, Part I, page 1987.]

NOTIFICATIONS UNDER THE HOSTILE FOREIGNERS (TRADING) ORDER.

No. 1298-W., dated the 23th November, 1914.—The following is Department published in supersession of the Notification in the Commerce and of Commerce Industry Department, No. 1116-W., dated the 26th November, 1914. and Industry.

Whereas by paragraph 2 of the Hostile Foreigners (Trading) Order of November 14th, 1914, it is provided that any company, firm or association or body of individuals, whether incorporated or not, of which any member or officer is a hostile foreigner or of which a hostile foreigner was a member or officer on the 3rd day of August, 1914, and which has an office, agency or place of business in British India, is a hostile firm ; and

Whereas by paragraph 4 of the said Order hostile firms are prohibited from carrying on or engaging in any trade or business in British India except under a special or general licence issued by or under the authority of the Governor General in Council ; and

Whereas it is desirable to grant a general licence under paragraph 4 of the said Order to certain companies which fall within the definition of hostile firm in the said Order ;

Now, therefore, the Governor General in Council hereby authorises to carry on trade or business in British India any such company as satisfies the following conditions, namely :—

- (1) that the company is registered in the United Kingdom or in a British possession ;
- (2) that on the 3rd day of August, 1914, such company was not agent for any person carrying on a business or trade in the territories of any State now at war with His Majesty ;
- (3) that on the 3rd day of August, 1914, not more than one-third of the issued share capital was held by, or on behalf of, any person or persons being subjects of any State now at war with His Majesty ;
- (4) that on the 3rd day of August, 1914, no director, manager or other officer was a subject of any such State ; and

- (5) that such company is not specifically excluded from the benefit of this general licence by a notification in the Gazette of India by the Governor General in Council in this behalf for the time being in force.

[See Gazette of India, 1914, Part I, page 1987.]

Department
of Commerce
and Industry.

No. 1631-W., dated the 13th February, 1915.—Whereas by paragraph 4, clause 1, of the Hostile Foreigners Trading Order dated the 14th November, 1914, hostile foreigners are prohibited from carrying on or engaging in any trade or business in British India except under a general or special licence issued by or under the authority of the Governor General in Council, and

Whereas it is desirable that a general licence under paragraph 4 of the said Order should be granted to a class of persons who fall within the definition of "hostile foreigner" in the said Order ;

Now, therefore, the Governor General in Council hereby authorises the carrying on of trade or business in British India by Asiatic subjects of the Ottoman Empire, subject to the following restrictions and conditions, namely :—

- (1) this licence shall not apply to any company, firm or association, or body of individuals which falls within the definition of "hostile firm" in the said Order ;
- (2) this licence shall not apply to any Asiatic subjects of the Ottoman Empire whom the Governor General in Council may from time to time by notification in the Gazette of India except from its provisions ;
- (3) this licence shall not affect any special licence which has been, or may hereafter be, issued by the Governor General in Council under the said Order. Any such licensee shall be subject to all the conditions and restrictions specified in the special licence ;
- (4) this licence does not apply to any person who has applied for and been refused a licence under the said Order.

[See Gazette of India, 1915, Part I, page 280.]

Department
of Commerce
and Industry.

No. 2263-W., dated the 6th March, 1915.—In exercise of the powers vested in him by sub-clause (2) of clause (4) of the Hostile Foreigners Trading Order, the Governor General in Council is pleased to direct that the licences specified in the Schedules annexed to this Notification shall remain in force for the following periods, *viz.*, in the case of the licences specified in Schedule I, until the 14th August, 1915, and in the case of

the licences specified in Schedule II, so long as the Trading Order afore-
said shall remain in force.

I.

LIST SHOWING NAMES OF HOLDERS OF A LICENCES.

Alois Schweiger and Company.	The Holland Bombay Trading Company
The Austrian Lloyd Steam Navigation Company.	(so far as the Rhenania Insurance Com-
Austrian Export and Import Company, Limited.	pany, Limited, the United Marine Insurance Companies and the Prussian National Insurance Company are con-
Bettmann and Kupfer.	cerned).
A. Blascheck and Company (so far as their Agencies of the Farlaerck Muhl-	Heine and Company.
hein Vorm A. Leonhardt and Company, J. E. Bleckmann, Carl Kalanch, Geb-	Harry Greayer (W. J. Burrows).
ruder Friese, Johs, Girmes and Company and Heinr. Ad. Meyer, are concerned).	Joseph Blum.
Badische Company, Limited.	Jelke and Son.
Bauer and Krause.	John Forstner and Company, Karachi.
Bume and Reif.	Killick, Nixon and Company (so far as their Agency of the firm of Orenstein and Koppel is concerned).
Continental Tyre Company.	Leopold, Cassella and Company.
R. Ditmar and Company.	Meister, Lucius and Bruning, Limited.
E. G. Fulep.	Metzker and Company, Poona.
Farbenfabriken, Bayer and Company.	A. Strandes and Company.
C. Flor and Campany.	Steffens and Nolle.
Gaddum and Company (so far as their Agencies of the Allianz Insurance Com-	Schlechtendahl and Company.
pany of Berlin, Limited, and Baden Marine Insurance Company, Limited, are concerned).	Salomon Brothers. ¹
Graham and Company (so far as their Agency of the Hansa Line steamships is concerned). ¹	Volkart Brothers (so far as their Agency of the British Aniline Company is concerned).
	Wiechers, Kaiser and Levy, Limited. ¹
	W. Wolf and Sons. ¹
	Mrs. F. Cumper.
	Mr. J. Schneider.
	Mr. C. Yeck.

II.

LIST SHOWING NAMES OF HOLDERS OF B LICENCES.

Oxford University Press, Bombay.	Reverend H. Boese.
Bombay Column Tyre Company.	A. Blascheck and Company.
Weld and Company.	H. Bentzion.
Volkart Brothers.	Kahn and Kahn.
A. C. Kohler.	C. Ziegenspeck.
Louis, Dreyfus and Company.	Hongkong and Shanghai Banking Corpo-
Turner, Morrison and Company, with re-	ration, Limited.
gard to their Agency of the Arab Steamers Company (Limited).	Sanatogen Company.
D. Macropolo and Company.	O. Rubbert.
Jumna Ginning and Pressing Company.	Enrico N. Stein.
Breul Company.	Gutmann and Company.
Khamgaon Cotton Pressing Company.	Josts Engineering, Company.
Gaddum and Company.	Strauss and Company.
Bombay Cotton Trade Association.	Wolfson and Company.
	C. Hummel.

[See Gazette of India, 1915, Part I, page 405.]

¹ See Notification No. 14535-W., dated 11th September, 1915, *infra*.

Department
of Commerce
and Industry,
Commerce and
Trade.

No. 14535-W., dated the 11th September, 1915.—In exercise of the powers vested in him by sub-clause (2) of clause 4 of the Hostile Foreigners Trading Order, the Governor-General in Council is pleased to direct that the licenses granted to the undermentioned firms shall remain in force until the 14th November, 1915 :—

1. Messrs. W. and A. Graham and Company (so far as their agency of the Hansa Line steamships is concerned)
2. W. Wolf and Sons.
3. Salomon Brothers, Limited.
4. Wiechers, Kaiser and Levy, Limited.

[See Gazette of India, 1915, Part I, page 1788.]

THE HOSTILE FOREIGNERS (REPATRIATION) ORDER.

No. 3505, dated the 14th October, 1915.—In pursuance of section 3 (2) (d) of the Foreigners' Ordinance, 1914 (III of 1914), as amended by the Foreigners' (Amendment) Ordinance, 1914 (VII of 1914), and by the Foreigners' (Further Amendment) Ordinance, 1914 (VIII of 1914), as in force in virtue of the Emergency Legislation Continuance Act, 1915 (I of 1915), the Governor General in Council is pleased to make and issue the following order :—

Short title.

1. This Order may be called the Hostile Foreigners' (Repatriation) Order.

Definition.

2. In this Order "repatriated foreigner" means any subject of the German Empire, or of the Dual Monarchy of Austria-Hungary, who is to be repatriated by order of Government.

Prohibition
against trans-
fer of prop-
erty by repatri-
ated foreigners
without
license.

3. No repatriated foreigner shall transfer to any person any property, moveable or immoveable, except in accordance with the terms and conditions of a license issued by the Local Government in such form as it thinks fit.

Prohibition
against taking
out of British
India gold or
property save
as provided.

4. No repatriated foreigner shall take out of British India—

(1) any gold ;

(2) any property, moveable or immoveable, other than—

(a) personal luggage or effects in such quantity as the Local Government or any officer authorised by the Local Government in this behalf may decide to be reasonable ; and

(b) resources whether in coin or negotiable instruments, or both, not exceeding the value of Rs. 1,500.

Prevention
of the taking
out of British
India of
unauthorised
property.

5. A repatriated foreigner shall at the time of embarking from British India, and on being required to do so by an officer appointed in this behalf by the Local Government, make a declaration as to the property in his possession ; and if so required, shall produce to such officer any property or resources in excess of those permitted by clause 4 (2) (b) to be taken ; and such officer may search any such foreigner and any baggage for the purpose of giving effect to this order.

[See Gazette of India, 1915, Part I, page 1906.]

NOTIFICATION UNDER THE INGRESS INTO INDIA
ORDINANCE, 1914 (V OF 1914).

No. 1374, dated the 12th September, 1914.—In exercise of the powers conferred by the Ingress into India Ordinance, 1914, read with the Foreigners Ordinance, 1914, the Governor General in Council is pleased to delegate to the civil authorities specified in the first column of the schedule annexed the powers specified in the second column hereof.

Home
Department.
Political.

Schedule.

1	2
Authority empowered.	Powers delegated.
All Local Governments.	1. Power under the Ingress into India Ordinance, 1914, read with section 3 of the Foreigners Ordinance, 1914, to regulate and restrict the liberty of persons entering British India whether by sea or land after the 5th September, 1914. 2. Power under the Ingress into India Ordinance, 1914, read with section 7 of the Foreigners Ordinance, 1914, to make rules providing for the manner in which Orders made by the Local Government in accordance with the provisions of this notification shall be enforced. 3. Power under the Ingress into India Ordinance, 1914, read with section 8 of the Foreigners Ordinance, 1914, to modify or rescind any order or rule made in accordance with the provisions of this notification.

[See Gazette of India, 1914, Part I, page 1431.]

NOTIFICATIONS UNDER THE COMMERCIAL INTER-
COURSE WITH ENEMIES ORDINANCE, 1914 (VI OF 1914).

No. 1674-W., dated the 12th December, 1914.—In pursuance of section 5 of the Commercial Intercourse with Enemies Ordinance, 1914 (VI of 1914), the Governor General in Council is pleased to authorise the Chief Secretary to the Government of Bombay to sign certificates for the purposes of the said section.

Department
of Commerce
and Industry.

[See Gazette of India, 1914, Part I, page 2070.]

Department
of Commerce
and Industry,
Commerce and
Trade.

No. 13574-W., dated the 11th August, 1915.—In pursuance of section 5 of the Commercial Intercourse with Enemies Ordinance, 1914 (VI of 1914), the Governor General in Council is pleased to authorize the Chief Secretary to the Government of Madras to sign certificates for the purposes of the said section.

[See Gazette of India, 1915, Part I, page 1060.]

NOTIFICATION UNDER THE INDIAN SOLDIERS (LITIGATION) ORDINANCE, 1915 (II OF 1915).*

Army Depart-
ment, Judi-
cial.

No. 634, dated the 2nd July, 1915.—In pursuance of section 2 of the Indian Soldiers (Litigation) Ordinance,* 1915 (II of 1915), the Governor General in Council is pleased to declare that service in India under the following circumstances shall be service under war conditions, namely :—

When the Indian soldier is under orders to proceed on field service, or when the unit to which such Indian soldier belongs is mobilised, or when the commanding officer of the unit to which such Indian soldier belongs certifies that, by reason of the state of war now existing, such Indian soldier is otherwise precluded from obtaining leave of absence to enable him to prosecute or defend his suit.

[See Gazette of India, 1915, Part I, page 858.]

* Ordinance II of 1915 has been repealed and re-enacted by the Indian Soldiers (Litigation) Act, 1915 (XII of 1915), see Part I.

Part VII.

MISCELLANEOUS NOTIFICATIONS.

No. 1428-W., dated the 12th December, 1914.—Whereas by paragraph 5 (1) of Trading with the Enemy Proclamation No. II¹ of 9th September, 1914, as amended and extended by Proclamation,¹ dated the 5th of November, 1914, payment of any sum of money to or for the benefit of persons or a body of persons resident in the territories of the German Empire or in the Dual Monarchy of Austria-Hungary or in the respective colonies and dependencies thereof, or in the territories of the Sultan of Turkey other than Egypt, or any territory in the occupation of the British Government or its colonies, in this licence and in the said Proclamations referred to as “enemy country” is prohibited; and

Department
of Commerce
and Industry,
Commerce and
Trade.

Whereas, by paragraph 8 of the said Proclamation, it is provided that nothing in the Proclamation shall be taken to prohibit anything which shall be expressly permitted by licence, whether such licence be granted to individuals or be announced as applying to persons, and

Whereas, by paragraph 3 of Proclamation² dated 8th October, 1914, power to grant such licences on behalf of the Crown may be exercised in India by the Governor General;

Now, therefore, I, Charles, Baron Hardinge of Penshurst, hereby authorise all British subjects residing, being, or carrying on business in British India to make payments for the purpose of obtaining possession of their cargoes in neutral ports to the agents of shipowners resident in an enemy country.

HARDINGE OF PENSHURST,

Viceroy and Governor General.

[See Gazette of India, 1914, Part I, page 2069.]

No. 149, dated the 9th January, 1915.—Whereas by paragraph 5(1) of Trading with the Enemy Proclamation No. II, of 9th September, 1914, as amended and extended by Proclamation, dated the 5th of November, 1914, payment of any sum of money to or for the benefit of persons or a body of persons resident in the territories of the German Empire or in the Dual Monarchy of Austria-Hungary or in the respective colonies and dependencies thereof, or in the territories of the Sultan of Turkey other

Department
of Commerce
and Industry.

¹ Printed *supra* (Part IV).

² See Proclamation relating to Trading with the Enemy, dated 8th October, 1914, *supra* (Part IV).

than any territory in the occupation of the British Government or its colonies, in this licence and in the said Proclamations referred to as "enemy country" is prohibited; and

Whereas, by paragraph 8 of the said Proclamation it is provided that nothing in the Proclamation shall be taken to prohibit anything which shall be expressly permitted by licence, whether such licence be granted to individuals or be announced as applying to persons; and

Whereas, by paragraph 3 of Proclamation,¹ dated 8th October, 1914, power to grant such licences on behalf of the Crown may be exercised in India by the Governor General;

Now therefore, I, Charles, Baron Hardinge of Penshurst, hereby authorise all persons residing, being, or carrying on business in British India to pay any fees necessary for obtaining the grant, or for obtaining the renewal, of patents, or for obtaining the registration of trade marks or designs or the renewal of such registration in an "enemy country";

And also to pay on behalf of an "enemy" any fees payable in British India on application for, or renewal of, the grant of a patent, or on application for the registration of designs or the renewal of such registration.

HARDINGE OF PENSHURST,

Viceroy and Governor General.

[See Gazette of India, 1915, Part I, page 39.]

Department
of Commerce
and Industry.

No. 13755-W., dated the 21st August, 1915.—The following regulations respecting certificates of origin for foreign goods imported into Russia are published for general information:—

REGULATIONS CONCERNING PROOF OF ORIGIN OF FOREIGN GOODS.

I. The following will be accepted as proof of the origin of goods subject to Customs duty at the rates of the "Conventional," or, as the case may be, "General" Tariff for European trade:—

1. Certificates of origin issued by: (a) Russian diplomatic and consular officers, with the official seal affixed; (b) Chambers of Commerce, Municipal or Police Authorities, with the official seal affixed; (c) Customs houses discharging the goods from the country whose products are assessed in Russia at "Conventional" rates, or, as the case may be, "General" rates of the Tariff.
2. Accounts, invoices, or letters of manufacturers, wholesale stores, merchants, commission offices and traders.

II. The documents enumerated in point 1 (letters b and c) and point 2 of section I will be recognised as sufficient proof of origin only

¹ *Supra* (Part IV).

when the said documents have been attested by Russian diplomatic or consular officers, if there be such in the country of origin. Not only the signatures in the documents must be so attested, but also the accuracy of the statements regarding the origin of the goods indicated. In the case of accounts, invoices, and letters of foreign manufacturers, etc. (point 2 of section I), the above officials must also certify that the persons submitting these documents do in fact possess the commercial or industrial undertakings in the name of which the documents are submitted.

Note.—In countries where there are no Russian diplomatic or consular representatives, the documents may be attested by English, French, or Belgian diplomatic or consular officials, according to a list sanctioned by the Minister for Foreign Affairs.

III. Should (Russian) Customs establishments experience any difficulties in interpreting the foreign text of documents presented, the owner of the goods must, on demand, submit a translation in Russian, certifying the correctness of the same with his signature.

IV. The documents referred to in section I will be accepted only if issued by persons residing, or institutions established in the country of origin of the goods, and not in countries through which they are being conveyed in transit.

V. These documents must contain information as to the quantity of packages, their marks and numbers, gross and net weight, and a description of the goods by their technical or trade name, the following exceptions being admitted:—

- (a) In proof of origin of articles assessed in the Tariff not by weight but by piece, documents will be accepted without indication of the net and gross weight.
- (b) In documents concerning vessels (ships), the dimensions may be indicated by gross capacity in tons.
- (c) The net weight need not be given in the case of the following: all goods assessed in the Tariff by gross weight, and all goods allowed a deduction for tare if imported in packing specifically named in the Tare Table sanctioned by the Minister of Finance.
- (d) Slight disparities in the marks and numbers of goods' packages, as compared with the entries in the documents, need not disqualify the documents if the Customs authorities have no doubt that the documents refer to the goods imported.

VI. It is sufficient to present one of the documents indicated in section I if the goods come to Russia direct from the country of origin.

VII. By direct importation of goods from the country of origin is to be understood:—

- (a) the carriage of goods from a port of the country of origin to a Russian port without transshipment and without discharge at a port of a third country;

- (b) the carriage of goods by rail or by a mixed route, by rail and by steamer, with through waybills or bills of lading, if the place of despatch indicated in these documents is situated within the boundaries of the country of origin, and the place of destination is any interior or frontier point of Russia, even if the goods have to be conveyed *via* other countries to the products of which favourable tariff rates are applied.

VIII. The conveyance of goods through German, Austro-Hungarian or Turkish territories, as also the transshipment or discharge of goods at ports of these countries, shall deprive the goods of any right to favourable tariff rates.

IX. On the delivery of goods imported indirectly from the country of origin the following will be required :—

- (1) for goods coming from Customs warehouses, in addition to one of the documents indicated in section I, a certificate of a Custom house of the country from which the goods are imported into Russia to the effect that the packages indicated in the said documents were not released from the warehouses of that Custom house, and indicating by what waybills or bills of lading they were despatched directly to Russia. This certificate must be attested by Russian diplomatic or consular officials, and
- (2) for goods acquired in a foreign interior market, a certificate of origin from Russian diplomatic or consular officials, indicating that the goods, on delivery into that country, did not pass in transit through German, Austro-Hungarian or Turkish territory, and were not transhipped or discharged at ports of those countries.

X. Goods specified in the appended list, on direct import into Russia from the country of origin, do not require certificates of origin. If these goods are imported indirectly from the country of origin, they require a certificate of the Custom house of the country from which they were despatched direct to Russia, this certificate indicating the country of origin, the point whence the goods were received at the place where the Custom house issuing the certificate is situated, and the routes by which the goods were proceeding to Russia. This certificate must be attested by a Russian diplomatic or consular officer.

Note.—At the desire of the owners of the goods, instead of the Customs certificate mentioned in this section, documents mentioned in sections I and IX may be presented.

XI. Asiatic goods, imported by Persian, Afghan, Mongolian and overland Chinese frontiers, do not require certificates of origin.

XII. In goods' declarations, when the amount of the duty depends on the country of origin, the owner must indicate the country of

origin, otherwise the declaration will be returned for the insertion of this information.

XIII. Documents showing the origin or place of despatch of goods (sections I to X) may be presented at Custom houses at the time of import of the goods together with the lading documents, or on delivery of the declaration, or afterwards with a separate statement handed in previous to the discharge of the goods from the Custom house, but in any case, not later than six months from the date of arrival of the goods at the Custom house.

XIV. On inspection of the goods, the Customs authorities must see that the proofs of origin presented correspond with the goods, and in cases of reasonable doubt, must verify the proofs, apart from the documents referred to above, and make an expert examination of the goods.

XV. If the number of packages of goods presented for inspection should be found to be less than that entered in the documents of origin, this circumstance alone should not be a reason for refusing to recognise the goods as subject to assessment under the "Conventional" or, as the case may be, "General" Tariff, and the documents of origin must not be returned to the owner of the goods. If the latter declares that the missing packages will be delivered later, the Custom house must, on his written request, deliver to him a copy of these documents, with a note on the same explaining the circumstances.

XVI. The documents indicated in sections I to X of these regulations, delivered at Custom houses with postal declarations, will be recognised as proof of origin of goods imported in postal parcels. For goods, received in parcels, delivered to addressees direct from Custom houses (section 617 of the Customs Code, 1912, Supplement), proof of origin may also be presented by the receivers on the same basis as is established for the presentation of proof of origin of goods inspected according to declaration.

XVII. For goods inspected without inspection documents in the cases provided for in sections 197, 198, 257, 391, 399 and 417 of the Customs Code, proof of origin will be accepted on the same basis as is established for goods inspected according to declarations.

XVIII. Documents of origin, as also other documents, after payment of Customs duties on the goods, shall be sent to the competent Control Chambers with the inspection documents.

XIX. In the absence of proofs of origin, or non-compliance of the same with these regulations, the goods will be assessed for duty according to the rates established for goods of German, Austrian, and Turkish origin.

XX. Exemptions from the stipulations of these regulations may be made in exceptional cases on the special authorisation, in each separate case, of the Minister of Finance.

APPENDIX TO SECTION X.

List of Foreign Goods for which, on direct importation from the Country of Origin, Certificates of Origin are not required.

Tariff No.	Articles.
2 (2)	Rice, unhusked.
15 (1), (2), and (3)	Pepper, unground, ginger, cloves, and other exotic spices.
18 (1) and (2)	Coffee.
19 (1) and (2)	Cocoa.
20 (1)	Tea.
32 Note 1	Medicinal mineral waters from allied and neutral countries.
41 (1)	Thomas' slag, unground.
58 (2)	Cedar wood.
62 (3)	Copra.
83 (1) and (2)	Asphalt.
85	Liquid products from the distillation of naphtha.
87 (2)	Rubber and gutta-percha, crude.
87 (5a)	Camphor, crude.
91 (1)	Sulphur, unrefined.
103 (1)	Chile saltpetre.
112 (1)	Iodine.
121 (1), Note	Quebracho wood and mimosa bark.
179 (1) and (2)	Raw cotton and raw jute.

[See Gazette of India, 1915, Part I, pages 1139-11 1.]

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